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Viet Nam

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1. With a consistent policy for the promotion and protection of human rights, Viet Nam attaches great importance to the UPR. Viet Nam has implemented in earnest the UPR Recommendations accepted at the first and second Cycles and undertook a comprehensive review for the present Cycle.

I. Methodology

A. Preparation of country report

2. The Report, prepared in accordance with Resolution A/Res/60/251(2006) establishing the HRC, Resolution 5/1 (2006) and Decision 17/119 (2011) of the HRC, reviews the human rights situation in Viet Nam.

3. The Report focuses on reviewing the implementation of the accepted UPR recommendations; and providing updates on the promotion and protection of human rights in Viet Nam. The Report identifies outstanding challenges and the priorities of Viet Nam in the future in order to ensure better enjoyment of human rights for everyone.

4. The preparation of the Report has been carried out by an inter-agency Task Force consisting of 18 ministries and organizations. The MOFA[1] is the coordinator of the Task Force[2].

B. Consultative process on the report

5. In 2015, the Prime Minister approved the Masterplan for the Implementation of the accepted UPR Recommendations, of which the mid-term review was undertaken in 2016. This Report's reference material is derived from the mid-term report, reports of workshops related to the implementation of the recommendations, the 2017 VNR[3] Report and country reports on the implementation of international human rights conventions to which Viet Nam is party from 2014 to 2018.

6. This Report has been comprehensively prepared with inputs from local and central governmental agencies, agencies of the Party and the National Assembly, socio-political organizations, business associations, NGOs and the Vietnamese people. Successive draft reports have been posted publicly on the website of MOFA. Many organizations and individuals had contributed to the Report via email and at consultative workshops, including the workshop organized by MOFA in July 2018, by the city of Da-Nang in September 2018, and other workshops related to the UPR recommendations organized by other ministries in 2018. These inputs have been duly noted, compiled by the Task Force and represented in the present Report.

II. New developments in the promotion and protection of human rights since the previous review

7. The respect for, and protection and promotion of human rights have been consistently mainstreamed in Viet Nam's socio-economic development strategies and policies, the Strategy for Judicial Reform and the implementation of Viet Nam's international obligations and commitments, including the accepted UPR recommendations. Since the previous review, Viet Nam has made great efforts to improve its law, institutions, and policies on human rights, providing a solid framework that has yielded encouraging achievements in practice.

A. Legal reform in the spirit of the 2013 Constitution: building a rule-of-law state

8. The 2013 Constitution[4] is the continuation and development of regulations governing human rights and the rights of citizens. It fully satisfies the people's legitimate

and increasing demands for rights and freedoms, in accordance with international standards on human rights. The 2013 Constitution consists of 11 chapters (120 articles), of which Chapter II with 36 articles directly regulates and clearly defines human rights and the fundamental rights and obligations of citizens.

9. Compared with the 1992 Constitution, the 2013 Constitution expands the content and dedicates separate provisions for human rights such as: the right to equality and non-discrimination before the law (Article 16); the right not to be subject to torture, violence, coercion, degrading punishment or otherwise any form of treatment harming his or her body and health and offence against honor and dignity (Article 20); the right to privacy (Article 21); the right of access to information (Article 25); the right to participate in the management of the State and society (Article 28); the right to gender equality (Article 26); the right to vote in a State-held referendum (Article 29); the right to fair and public trials and to be presumed innocent until proven guilty in accordance with legal procedure and the sentence of the court takes effect (Article 31); the right to private property (Article 32); the right to social security (Article 34); and right to employment (Article 35). The 2013 Constitution stipulates a number of new rights, including the right to life (Article 19); the right to scientific and technological research, literary and artistic creation, and the right to enjoy the benefits brought about by such activities (Article 40); the right to enjoy and access cultural values, participate in cultural life, and use cultural facilities (Article 41); the right to determine his/her ethnicity, use his/her mother tongue and choose his/her language of communication (Article 42); the right to live in a clean environment (Article 43); the right to not be deported and surrendered to another state (Article 17); the right to a legal place of accommodation (Article 22); and the right to social security (Article 34).

10. The 2013 Constitution, while affirming the State's obligation to recognize, respect, protect and guarantee human rights and citizens' rights, also stipulates that "Human rights and citizens' rights shall only be restricted in conformity with the law in case of necessity for reasons of national defense, national security, social order and safety, public morals and public health" (Article 14); "Everyone is obliged to respect others' rights", "The exercise of human rights and citizens' rights may not infringe upon state and national interests and the rights and legitimate interests of others" (Article 15).

11. Between 2014 and 2018, Viet Nam has amended, revised and promulgated 96 new laws and ordinances related to human rights, citizens' rights, in conformity with the 2013 Constitution. Many important laws were adopted, including: Law on the Organization of the People's Procuracy (2014), Law on the Organization of the People's Court (2014), Housing Law (2014), Criminal Code (2015), Criminal Procedure Code (2015), Civil Code (2015), Civil Procedure Code (2015), Law on Administrative Procedures (2015), Law on the Organization of Criminal Investigation Agencies (2015), Law on Custody and Temporary Detention (2015), Law on Referendum (2015), Law on Beliefs and Religions (2016), Law on Children (2016), Press Law (2016), Law on Access to Information (2016), Law on the Administration and Use of Weapons, Explosives and Their Accessories (2017), Law on the State's Obligation to Compensation (2017), Law on Legal Assistance (2017), and Law on Cybersecurity (2018). Many laws have been promulgated for the first time to promptly institutionalize the regulations on human rights and citizens' rights codified in the 2013 Constitution[4]. Additionally, such laws as Investment Law (2014), Business Law (2014), Law on Planning (2017), and Law on Assistance for Small and Medium Enterprises (2017) contribute to a stronger legal framework to ensure the people and businesses' freedom of doing business. Presently, a number of other human rights-related law drafts are being worked on, including the amended Labor Code, Law on Medical Examination and Treatment, Law on the Immigration of Vietnamese citizens, Law on Disease Prevention and Health, Anti-Corruption Law, Amended Law on Amnesty, Law on the Enforcement of Criminal Sentences, Law on Association, etc. The drafting of these legal documents involve the extensive consultation with social organizations and the people; these drafts are posted publicly on the Government's website.

B. New policies related to guaranteeing human rights

12. Since the last review, many important new policies have been issued, aiming to ensure that every Vietnamese may fully enjoy human rights. This particularly includes the effort to build an enabling government, implement the SDGs, and guarantee the rights to development, rights of vulnerable groups and labor rights.

13. In November 2016, the Government issued Resolution 100/NQ-CP on the 2016-2021 Action Plan of the Government, pronouncing the effort to build "an enabling government of decisive, effective and efficient action, wholeheartedly dedicated to serving the people". One of the priority tasks is to build a government that is compact, development-enabling, healthy, solid, transparent, that takes decisive action in service of the people and businesses, promotes democracy, anti-corruption, reducing extravagance and bureaucratic burdens. The Action Plan also identified a number of key tasks directly related to human rights, such as "to uphold the people's ownership", "to prioritize improving the people's well-being and living standards and sustainably reducing poverty", and "to advance the human element in all aspects of life; focusing on developing the human factor".

14. The "enabling Government" concept has been consistently reflected in many policies, strategies, and plans since 2016, including the 2016–2020 Administration Reform Plan with its core objectives to optimize of administrative and public services. By the end of 2017, 5,000 administrative procedures had been removed or simplified, thus better enabling the people and businesses to carry out business operation. Additionally, a system for receiving feedbacks and proposals from the people and businesses had been implemented through Government Portal; an annual Administrative Reform Index for administrative agencies and Public Satisfaction Index regarding the service of state administrative agencies, have been developed and published yearly.

15. The Government focuses on driving policies for sustainable development that has been mainstreamed in the 2011-2020 Socio-economic Development Strategy and the 2016-2020 Socio-economic Development Plan. With its strong pledge to effectively implement the 2030 Agenda and the SDGs, Viet Nam issued the National Action Plan for the 17 VSDGs[6] and 115 specific targets that are in line with national particulars and priorities. The National Council for Sustainable Development and Competitiveness has been established. Many ministries, government agencies, and localities have established their own steering committees and offices for sustainable development. In addition to the establishment of the Council of Businesses for Sustainable Development, there are also a wide range of similar initiatives by socio-political organizations, associations and NGOs.

16. Since the last review, the Government has issued many policies to reduce poverty, guarantee food security, improve nutrition, promote sustainable agriculture and provide healthcare for the people. In 2016, the Government promulgated two key programs: the 2016-2020 National Target Program for Sustainable Poverty Reduction (with a planned budget of VND[7] 48.397 trillion) and the National Target Program for New Rural Development (planned budget of VND 193.1556 trillion)[8]. In 2018, the Government issued the Decree 57/2018/ND-CP on Mechanisms to Encourage Enterprises Investing into Agriculture and Rural Areas (2018).

17. Viet Nam has redoubled effort to develop housing for low-income people through the adoption the 2014 Housing Law, Decree 99/2015/ND-CP detailing and providing guidelines for selected articles of the Housing Law, Decree 100/2015/ND-CP on the development and management of social housing; Decree 101/2015/ND-CP on the renovation and reconstruction of apartment buildings; Decision 48/2014/QD-TTg on the program to support the construction of flood-resistant housing for the poor; Decision 33/2015/QD-TTg on the program to provide housing support for poor households in rural areas.

18. In healthcare, the Government has issued the 2011-2020 National Strategy for providing care and improving public's health (2013), the 2011-2020 National Strategy on preventing and eliminating malaria in Viet Nam (2013), the National Strategy on preventing tuberculosis to 2020 (2014), the 2015-2025 National Strategy on preventing

cancer, cardiac diseases, diabetes, chronic obstructive pulmonary, bronchial asthma and other incommunicable diseases (2015), and the 2015-2020 Plan on preventing incommunicable diseases (2015).

19. Numerous policies to ensure the rights of vulnerable groups have been issued. The 2016 Law on Children that created an important legal framework in this area broadens the elements of children's rights, care and education, defines requirements for child protection, responsibilities to report child abuse, alternative care, protection of children in prosecution, administrative violation, rehabilitation, and has a specific Chapter on the participation of children in child-related matters. The 2015 Criminal Procedure Code reserves Chapter XVIII with 18 Articles on court procedures involving minors, in particular Articles 414, 415, 418 and 419[9]. The Family and Juvenile Courts were established under the People's Court in Ho Chi Minh City in 2016 and Dong-Thap in 2017[10]. Additionally, the Government issued Decree 56/2017/ND-CP (2017) implementing the Law on Children; Decree 80/2017/ND-CP (2017) on the safe, healthy and friendly educational environment and the prevention of school violence[11].

20. Viet Nam has made enormous efforts to improve the legal and policy framework on gender equality. Article 26 of the 2013 Constitution stipulates that "gender-based discrimination is strictly prohibited", which replaces the phrase "all acts of discrimination against women are prohibited" in the 1992 Constitution. This approach is also reflected in various legal documents, especially the 2015 Civil Code and the 2015 Civil Procedure Code. The 2015 Civil Code codifies the rights to gender re-determination (Article 36), the right to gender transformation (Article 37), the right of people whose gender is transformed or re-identified to change their names (Article 28). Relevant agencies are now in the process of consultation for and drafting of the Law on Gender Transformation. Additionally, the 2015 Civil Code also holds that all individuals are equally protected under the law pertaining to personal and property rights. The 2013 Land Law asserts the equal rights of women in the determination of jointly held properties, including the recording of both the husband and the wife under the License for Land Use Rights, House Ownership, and Ownership of other Land-linked Properties. The amended Labor Law is also under deliberation towards reducing the gap between male and female workers.

21. The Government has issued the 2016-2020 National Program on Gender Equality and National Action Program on Preventing and Combating Domestic Violence and many important projects, including the 2015-2020 Project for Reducing Domestic Violence in Rural Areas, the 2016-2020 Project for Preventing to gender-based violence; the 2016-2020 Project for Ensuring Gender Equality for Women Public Servants, the 2017-2025 Project for Supporting Women's Start-ups, the 2017-2027 Project for Women's Participation in Addressing Women-related Social Issues.

22. Viet Nam is gradually improving its legal, policy and institutional frameworks to ensure the rights of persons with disabilities. In 2015, Viet Nam ratified CRPD and the Prime Minister established the National Committee on Persons with Disabilities. Many projects have been launched: the 2014-2020 National Action Plan on Rehabilitation Development; the 2013-2020 Project on community-based support for children who are orphaned, abandoned, disabled, affected by HIV/AIDS, Agent Orange or by natural disasters. Social subsidy is provided for persons with severe and special disabilities[12].

23. The rights of elderly people are further promoted through the 2014-2020 National Campaign for the Elderly[13]. In 2015, the Prime Minister designated October as the Month for the Elderly for every year.

24. Regarding the protection of labor rights, Viet Nam has issued numerous important documents such as Decree 61/2015/ND-CP on Assistance policies for job creation and the National Fund for Employment; the 2016-2020 Target Program for Education on Vocation, Work and Workplace Safety; the 2016-2020 Planning for the Network of Employment Service Centers; and the 2016-2020 Program for the prevention and reduction of Child Labor for the 2016-2020 period. The 2015 Criminal Code has also updated the regulations for handling violations in the area of labor (Articles 162, 165, 216, 295 and 297). Viet Nam is finalizing the draft of the amended Labor Law, to be submitted to the National Assembly in 2019.

C. Implementation of the second cycle recommendations

25. At the Second Cycle, Viet Nam accepted 182 out of 227 recommendations. In 2015, the Prime Minister approved the Masterplan for the Implementation of the Accepted Recommendations, assigning specific tasks to 18 agencies and a number of other coordinating units. Various agencies have actively developed their own action plans in relevant areas. A number of ministries have effectively mainstreamed the implementation of UPR recommendations in socio-economic development strategies and plans, such as the 2016-2020 National Target Program for Sustainable Poverty Reduction, the 2016-2020 National Target Program for New Rural Areas, and the Plan for the Implementation of the 2030 Agenda.

26. By October 2018, Viet Nam has implemented 175 recommendations (96.2% of accepted recommendations); of which, 159 have been fully implemented and 16 others partially implemented; alongside the remaining 7 recommendations with ongoing implementation or consideration for implementation at a suitable time. No accepted recommendation is left without consideration for implementation. Several recommendations concerning the making and amendment of laws have also been carefully considered, and then in consultation with a wide range of government agencies, NGOs and citizens. Draft laws have been submitted to the National Assembly for consideration. A number of amendments have been accepted by the National Assembly while others would require further examination (see Annex).

D. Promotion of human rights education and awareness-raising vc cv ag

27. Viet Nam considers human rights education and awareness-raising one of the priorities towards promoting human rights. Since the previous review, human rights contents have continually been introduced into primary and secondary textbooks and the curricula of universities offering law courses, police academies and specialized training classes for officials, particularly law-enforcement personnel. In 2017, the Prime Minister promulgated the Plan for the implementation of the Project for Mainstreaming Human Rights Contents in the National Education System. This aims to raise the awareness of the students, teachers and educational administrators in human rights, with the target of having 100% educational establishments in the national education system include human rights education in their operation by 2025. Furthermore, the dissemination of human rights conventions has also been integrated into programs for law education, including the 2017-2021 Program for Law Dissemination and Education.

E. Implementation of international commitments and international cooperation in human rights

28. Since the previous review, Vietnam has ratified two additional Conventions on human rights, namely CPRD and CAT (February 2015). Thus, Vietnam is now a member of 7 out of 9 core international human rights instruments and is continuing to consider the possibility of accession to the CPED and the ICRMW.

29. Since 2014, Vietnam has submitted the National Reports on the Implementation of ICESCR (2nd, 3rd and 4th Report in 2014), CEDAW (7th and 8th Report in 2015), ICCPR (3rd, 4th, 5th and 6th Report in 2017), CRC (5th and 6th Report in 2018), the Initial Reports on the Implementation of CRPD (2018) and CAT (2017). Viet Nam plans to submit the National Report on the Implementation of ICERD in the fourth quarter of 2018. The drafting of these national reports received participation and contributions from central and local government agencies, socio-political organizations, professional organizations, Vietnamese and international experts and the citizens. The drafts have also been posted publicly online.

30. Vietnam has actively participated in dialogue sessions with treaty bodies and taken their recommendations into serious consideration. Based on the recommendations of the CRC Committee and the CEDAW Committee, the Prime Minister has approved the Plans

on the Implementation of the Recommendations by the CRC Committee (2014) and by the CEDAW Committee (2017).

31. To safeguard the rights of workers, since joining the ILO in 1992, Viet Nam has acceded to 21 ILO conventions, including 5 ILO core conventions, namely Conventions No.29, 100, 111, 138 and 182. Since the previous review, Viet Nam has further ratified Convention No.187 on the Promotional Framework for Occupational Safety and Health (2014). The consideration process for accession to Convention No.98 and Convention No.105 is expected to be completed by 2019. Viet Nam shall also, until 2020, consider the possibility of joining Convention No.87. Viet Nam would finalize the relevant documents in 2018 in preparation for the accession to Convention No.88 on Organization of Services Employment and Convention No.159 on Occupational Rehabilitation and Employment for Persons with Disabilities.

32. Viet Nam attaches great importance to international cooperation in the protection and promotion of human rights. Viet Nam participates responsibly in the human rights mechanisms of the UN, including HRC (2014–2016), ECOSOC (2016–2018), and the UNESCO Executive Committee (2015–2019). Viet Nam promotes a comprehensive approach to human rights, supports dialogue, cooperation, and respect for fundamental principles of international law, and has various acknowledged contributions and initiatives at these bodies.

33. Viet Nam attaches great importance to cooperation and dialogue with the OHCHR and the Special Procedures, in line with their mandates and functions, and the Rules of Procedures of HRC, in the spirit of transparency, efficiency and balance. Viet Nam actively participates in interactive dialogues with these mechanisms at HRC. In particular, since the previous review, Viet Nam has received the SR on Cultural Rights (2013), the SR on Religious Freedom (2014), and the SR on the Right to Food (2017). During these visits, the SRs took note of the efforts and achievements of Viet Nam as well as the cooperation and frank deliberations of the government agencies, localities and NGOs and provided useful recommendations on the protection and promotion of human rights in Viet Nam.

34. At the regional level, Viet Nam and the ASEAN countries are actively mainstreaming human rights in all pillars of the "inclusive, people-oriented and people-centered" ASEAN Community. Viet Nam contributed to ASEAN's adoption of the Regional Action Plan on the Elimination of Violence Against Women and Children (2015), the ASSEAN Consensus on the Promotion and Protection of the Rights of Migrant Workers (2017), the Joint Declaration on Women, Peace and Security (2017), and finalization of the ASEAN Enabling Masterplan 2025: Mainstreaming of the Rights of Persons with Disabilities (2018)[14].

35. Viet Nam ratified the ASEAN Convention on the Prevention and Control of Human Trafficking, especially Women and Children in 2016, joined the Bohol Action Plan against Human Trafficking, and actively participates in the Bali Process and the COMMIT Process for the Prevention and Suppression of Irregular Cross Border Migration. Additionally, Viet Nam has signed bilateral agreements with countries such as China, Thailand, Cambodia and Laos on the prevention of cross-border human trafficking.

36. By May 2018, Viet Nam has established relations with over 1,000 foreign NGOs, of which 563 are registered for regular activities in Viet Nam. The activities of foreign NGOs have contributed positively to the socio-economic development efforts in Viet Nam.

III. Achievements in promoting and protecting human rights in practice

A. Civil and political rights

Equality before the law

37. Equality before the law is enshrined in the Constitution and relevant legal documents. In particular, in civil matters, the 2015 Civil Code holds that "All individuals

are equal, no reason may be cited as a ground for their discrimination; their personal and property rights are protected by the law equally" and "All individuals have equal civil law capacity" (Articles 3 and 16). The 2015 Criminal Code amended in 2017 holds that all criminal offenders are equal before the law (Article 3). The 2015 Criminal Procedure Code holds that criminal procedures are to be carried out according to the principle that all individuals are equal before the law (Article 9). The 2015 Civil Procedure Code (Article 8) and 2015 Administrative Procedure Code (Article 17) hold that in civil or administrative court procedure, all individuals are equal before the law, and all organizations, entities, and individuals are equal in the exercise of their rights and obligations at Court.

38. The 2015 Criminal Code amended and added a number of basic principles of criminal procedure, including the presumption of innocence, double jeopardy, and insurance of adversarial process in trials. The Code is also amended in order to better guarantee the right to access to lawyer, for instance expanding defense counsels to also include legal aid assistants who can provide free service for social policy beneficiaries, widening number of cases requiring prosecution bodies to invite defense lawyers, ensuring that defense lawyers are given timely access to case process, providing supplemental provisions on the rights of persons held in custody, accused and defendants to provide testimonies, not to provide testimonies against himself/herself, or not to give forced confession.

39. Judges and People's Jurors are independent in the adjudication of lawsuits and settlement of disputes, in sole compliance with law. Every person is equal before the law, no one shall be considered guilty and punished until a court's judgment takes legal effect. Court rulings and decisions at all levels are published on the Court's digital information portal. Cassation decisions of the People's Supreme Court are also printed and published on this portal. Existing procedural codes and Resolution No.03/2015/NQ-HDTP of the Council of Judges of the People's Supreme Court govern the selection and application of precedents in court procedures. The application of precedents in Viet Nam is a new step that contributes to the uniform and flexible application of laws. At present, 16 precedents have been issued by the Supreme People's Court. Viet Nam's laws also guarantee independent prosecution; Article 109 of the 2013 Constitution stipulated that "when exercising the power to prosecution and controlling judicial activities, Procurators shall obey the law" and Article 83 of the 2014 Law on the Organization of the People's Procuracy stipulated that "the Prosecutors obey the law and is held accountable before the law for their behaviors and decisions while exercising the power to prosecution, debating in courts and controlling judicial activities".

40. From 2015 to 2017, Vietnamese lawyers had participated in 43,738 criminal cases, including 18,749 assigned cases and 24,989 cases requested by clients; 36,280 civil cases; 41,560 consultation cases in economic, business and trade matters; 2,687 administrative cases; 1,828 labor cases; and provided free-of-charge legal support for 110,592 cases. From 2014 to June 2018, to support the poor and ethnic minorities in regions of extremely difficult socio-economic conditions and other social groups as prescribed in the Law on Legal Assistance, National Legal Aid Centers throughout the country handled 470,759 cases, directly participating in 55,429 cases on trial. In 100% criminal cases where defendant lawyers are prescribed by law, lawyers or legal aid assistants were provided and participated.

Rights to life, respect for human dignity and bodily inviolability

41. The 2013 Constitution stipulates that "Everyone has the right to life. Human life is protected by the law. No one shall be illegally deprived of his or her life" (Article 19) and "Everyone shall enjoy the inviolability of the individual and the legal protection of his or her health, honor and dignity and is protected against torture, violence, coercion, corporal punishment or any form of treatment harming his or her body and health and offense against honor and dignity" (Article 20). The amended 2015 Civil Code also prescribes that individuals shall have the right to life, the right to safety of life, health and body (Article 33), and the right to protection of honor, dignity and prestige (Article 34).

42. Violation of the right to life is considered one of the most severe offenses and shall be strictly punished by the law. The 2015 Criminal Code reserves Chapter XIV[15] to the

prescription of penalties for the offenses violation of life, health, dignity and honor. Article 157 prescribes punishments for illegal arrest, capture or detention of individuals against the law, including for: (i) illegal arrest, capture or detention that result in the death or suicide of such individual; (ii) torture, cruel, inhuman or degrading treatment towards the detainee; (iii) causing health damage or mental disorder to the detainee (between 31%-60% or 61% and above). Article 373 governs the penalties for the use of torture; Article 374 governs the penalties for the use of coercion in obtaining testimonial.

43. Viet Nam does maintain capital punishment; however it is only applicable to the most serious crimes. According to the 2015 Criminal Code, the death penalty is no longer applicable to 08 additional offenses and shall not be applied to offenders under 18, pregnant women, women nursing children under 36 months old, and people over 75 at the time of offense or trial. Additionally, cases of non-execution and conversion into life imprisonment of prior death sentences, which include pregnant women, women nursing children under 36 months old, people over 75; and people sentenced to death for of embezzlement and bribery having voluntarily surrendered at least 3/4 of the ill-gotten amount and having actively worked with competent authorities in further investigation, or having made major atonement.

Right to freedom of movement

44. The right to freedom of movement is stipulated in the Constitution and asserted in the Civil Law, Law on Nationality, Investment Law and other relevant legal documents. Viet Nam has signed or joined a wide range of international conventions related to immigration, as well as bilateral treaties and agreements with other countries and territories on entry visa exemption for their respective citizens.

45. It is a consistent policy of Viet Nam to guarantee lawful, safe and regular migration, prevent illegal migration, and protect the legitimate rights and interests of citizens during the migration process in its entirety. At the moment, there are about 500,000 Viet Nam laborers working overseas. In 2017, there are 134,571 laborers moving abroad for work, a 6.69% increase compared to 2016. Vietnamese overseas students are present in 50 countries. A small number of Vietnamese citizens have illegally crossed the border, or have been residing illegally in foreign countries for economic purposes. Viet Nam has been cooperating with other countries and international organizations, and stands ready to repatriate these persons and provide support for their re-integration.

46. To facilitate immigration, Viet Nam has signed Conventions and agreements on visa exemption with 84 countries, unilaterally granted visa exemption for citizens from 13 countries and officers of the ASEAN Secretariat; granted visa exemption for the flight crew of 18 countries and territories in reciprocal principle; and piloted the granting of online entry visa into Viet Nam for foreigners, etc.

Freedom of religion and beliefs

47. Viet Nam is a multi-religious, multi-belief country, with 95% of its citizens professing religious belief. Freedom of religion and belief is enshrined in the 2013 Constitution. Most notably, the adoption of the Law on Beliefs and Religions in 2016 and the two Decrees on the implementation of this Law has created a solid legal framework to better ensure the freedom of religion and beliefs of the citizens. The 2016 Law on Beliefs and Religions for the first time stipulates that religious organizations are non-commercial legal entities, reduces the necessary consecutive period of religious activities that a religious organization needs to maintain for recognition from 23 years to 5 years, adjusts a wide range of procedures[16] from registration/licensing and proposal/approval to advance notification to authorities, and adjusts the authority to approve major religious events held by religious bodies so as to simplify administrative procedures. Furthermore, the 2015 Criminal Code also prescribes penalties for the offense of "Violating the Freedom of Religion and Beliefs of Others" (Article 164).

48. Religious groups in Viet Nam coexist in harmony within the community of Vietnamese ethnicities. The Government at present recognizes the legal status of 42 organizations affiliated with 15 religions. In 2016, the Representative Board of the Church

of Jesus Christ of Latter-day Saints obtained formal recognition and Hieu-Nghia-Ta-Lon Buddhism was licensed for religious operation. In August 2018, the Viet Nam Full Gospel Church has been licensed for operation, while two other Protestant organizations are applying for registration. Additionally, thousands of Protestant congregations are ensured religious practice at lawful locations. Viet Nam has 60 religious educational institutions of Buddhism, Catholicism, Protestantism, and Hoa-Hao Buddhism. 5 new religious educational institutions were established during 2015–2017[17].

49. As of 2017, the total land area of 14,850 hectares is used by 7,102 religious organizations and institutions. Ho Chi Minh City granted 7,500 m^2 of land to the Evangelical Church of Viet Nam (South) for the construction of the Biblical and Theological Institute. Thua-Thien-Hue Province granted 20 hectares to the Viet Nam Buddhist Academy. Religious organizations are active in social work, establishing over 450 healthcare facilities, 270 kindergartens, 1,000 child care facilities, and providing support for 11,800 social security beneficiaries.

50. The State enables religious organizations to produce and publish religious texts and other religious materials. Since the previous review, over 3,000 religious publications have been published with 10 million copies in print and millions more in CDs and DVDs formats in multiple languages; 12 religious newspapers and magazines are in circulation; the majority of religious organizations have their own websites. International exchanges and cooperation undertaken by religious individuals and organizations have flourished. Viet Nam hosted many significant religious celebrations such as the International Day of Vesak (2014) and the 500th anniversary of the Protestant Reformation (2017).

51. Freedom of belief and religion for ethnic minorities is duly protected. With the State's assistance, the Viet Nam Buddhist Sangha started the construction of the Khmer Theravada Buddhism Academy in Can-Tho City in 2017. In the Central Highlands and Binh-Phuoc Province, 33 Protestant organizations and denominations have been practicing their faith at 304 chapter churches and over 1,300 places of worship. In the Northwest, as of June 2018, there have been 693 Protestant groups and 8 grassroots congregations established. Additionally, there are many registered religious activities by members of ethnic minorities affiliated with the Viet Nam Baptist Convention, Lutheran Church of Viet Nam, Viet Nam Inter-Evangelistic Movement and Viet Nam Evangelical Church. The State also supports Cham ethnic minorities to renovate their religious sites.

Right to freedom of expression and assembly and freedom of the press

52. The Constitution of 2013 stipulates that "Citizens are entitled to the rights to freedom of expression, freedom of the press, freedom of association, assembly and demonstration"[18]. The 2016 Amended Press Law codifies the citizen's freedom of the press and freedom of expression; and emphasizes the right to journalistic creativity, provision of and access to information as well as the rights to submit critiques, proposals, complaints and allegations to the press. It also added provisions on press-associated activities, according to which entities and individuals with appropriate business license are permitted to participate in all stages of the journalistic process. The 2016 Amended Press Law and the 2012 Publication Law both affirm the principle of non-censorship prior to publications or broadcasts. The 2016 Law on Access to Information codifies the responsibility of state agencies to provide information to the public through their Digital Portal, the press and the media, other channels, or otherwise provide information on demand. Furthermore, the 2015 Criminal Code also outlines penalties for the offenses of "violating the freedom of speech, freedom of the press, rights to information access and right to demonstration of citizens".

53. The press has developed uninterruptedly and served as a platform for social organizations and the public to engage in discourse as well as a protector of the rights of citizens and the interest of the society. It has also played a supportive role in law enforcement and policy implementation. As of June 2018, Viet Nam has 857 press agencies (45 more than the number reported in Second Cycle) with 1,119 publications (compared to 1,084 publications in 2013); 1,150 MIC[19]-licensed information-hub websites. Annual press circulation is 650 million copies. Currently, Viet Nam has 195 electronic newspapers and magazines; 67 radio and television stations across both central and local levels broadcasting 182 channels and 01 news agency. There are 18,000 licensed journalists and 5,000

reporters; 60 publishers with an average annual increase in the number of publication of 5-10%. The Radio Voice of Viet Nam covers 97.5% of Vietnamese territory. Viet Nam Television signals reach 90% of households and broadcast via satellites to many international locations. There are 91 pay-to-view cable, Internet and satellite channels, including 58 foreign channels (compared to 40 in 2017 and fewer than 30 in 2013). 20 foreign press agencies have resident correspondents in Viet Nam.

54. The rapid growth of the Internet has enabled better access to information for the people and helped drive cultural and socio-economic development. As of December 2017, 28.35% of households in Viet Nam have Internet access; the number of Internet users increased from 30.8 million users in 2013 to approximately 50 million (54% of the population, compared to 30.8 million in 2013). Viet Nam has about 58 million active Facebook user accounts.

55. Freedom of association is stipulated in the 2013 Constitution. As of 2017, there are more than 68,125 associations in Viet Nam, including organizations and associations for youth, women, workers, farmers, the elderly, and persons with disabilities, charities, science and technology, businesses and NGOs[20]. Viet Nam is currently drafting the Law on Association with many drafts put forward for consultations before submitting to the National Assembly.

Rights of detainees and prisoners

56. The Law on the Enforcement of Custody and Temporary Detention holds that persons under temporary detention and custody are entitled to have their lives, body and property protected and their honor and dignity respected; entitled to food, accommodation, clothing, personal items, healthcare, cultural activities, to receive letters, gifts, books, newspapers and other documents; to meet their relatives, defense lawyers, consular visitors, and their legal representative to undertake transactions of civil natures; to file complaints or denunciations, entitled to compensation if unlawfully detained and other citizens' rights (Article 8). Detention and custody cells are designed to ensure sufficient light to ensure the detainees' health, meet the standards for environmental hygiene and fire safety, and are suitable given the climatic particulars of the locality and the needs for detention administration (Article 14)[21].

57. This Law also strictly forbids acts of torture and coercion; cruel, inhumane and degrading treatment or punishment; or any form of treatment that violates the legitimate rights and interests of persons held under temporary detention or custody[22]; unlawful detainment, release of detained persons, and other violations in the administration of detainees; forbids acts that hinder the detainees from exercising their right to meet their relatives, right to defense, legal assistance and consular visits, rights to file complaints or allegations, or other human and civil rights as per regulations; prohibits acts that organize, provoke, manipulate, persuade, influence, abet, conceal or coerce others to violate the law, commit vengeance, or otherwise infringe upon the life, health, honor, dignity, property of others under temporary detention (Article 8). Pregnant women or nursing infants under 36 months of age, LGBT persons, persons infected with communicable diseases, persons showing signs of mental illnesses, loss of awareness or behavioral control but are yet undiagnosed, awaiting diagnosis or awaiting transfer to a treatment facility, or people sentenced to capital punishment, may be detained in separate rooms.

58. The competent authorities at detention centers have been seriously observing the above-mentioned regulations, and pay great attention to education, counseling and vocational training for prisoners. Since December 2012, prisons have organized 1,999 literacy classes for 25,969 prisoners. Prisoners are organized work suitable for their gender, age, health; receive vocational training and guidance; and are entitled to breaks on Sundays and holidays in accordance with regulations. Female offenders nursing infants under 36 months of age are allocated time to care for their children; the prisons help provide these children childcare services at nursery schools outside the detention areas (778 children). Minor prisoners are detained under special settings and are provided with regular education programs, life-skill training, psychological counseling and vocational training (129 regular education programs for 1,535 prisoners). From 12/2012 to 12/2016, prisons held 1,153,451 medical examinations and treatments for 351,917 prisoners and provided 37,798 hospital

diagnosis treatment sessions for 33,822 prisoners. From 2014 to 9/2018, authorities have issued job certificates for 20,449 prisoners and provided vocational training to 211,396 prisoners.

B. Economic, social and cultural rights

Economic development, poverty reduction and social welfare

59. Viet Nam's efforts in promoting sustainable development have yielded positive results in economic development and social equality. Viet Nam maintained GDP growth rates of 6.68%, 6.21%, and 6.81% in 2015, 2016 and 2017 respectively. In 2017, 153,307 enterprises were newly registered or resumed operation; newly registered businesses registered 1,161,321 employees. In the same year, the National Target Program for Sustainable Poverty Reduction assisted the expansion of poverty reduction models across the country, thereby raising the income of poor households by 15 to 20%. Income poverty has decreased rapidly during 1998-2016. The poverty rate decreased from 7% in 2015 to 5.2% in 2016; as did multidimensional poverty rate from 9.88% in 2015 to 9.2% in 2016 and 7.69% in 2017[23].

60. Social welfare policies have been implemented across the country and achieved promising results. The percentage of the population participating in health insurance increased from 77% in 2015 to 83.8% in 2017 (78.2 million people). In 2016, 77% of the poor and near-poor had access to health insurance. The number of beneficiaries of monthly social grants and health insurance card issuance has increased steadily (2,506,705 in 2013; 2,540,223 in 2014; 2,643,725 in 2015 and 2,723,036 in 2016), in which there were 42,434 children of special hardship; 1,617,367 elderly people; 1,006,923 people with disabilities and 172,841 other individuals, including poor people living with HIV/AIDS and poor single parents.

61. Rural development programs have brought about positive outcomes, including policies to support hi-tech and clean agriculture development. The income and living standard of the rural population have been improved; the average of per capita income in rural areas increased from VND 18.6 million in 2012 to VND 32 million in 2017. Productivity in agriculture, forestry and aquaculture-fishery has been increasing steadily over time. From 2005 to 2016, per-capita productivity grew by 4.5 times, from VND 7.5 million in 2005 to VND 32.9 million in 2016. By 31 December 2017, 99.4% of all communes across the country have car-accessible roads to their centers, including at high or rugged terrains. 100% of all communes and 97.8% of all hamlets have national electricity grid coverage; 99.7% of all communes have primary schools and kindergartens; 99.5% of all communes have commune clinics; 60.8% of all communes have markets; and 58.6% of all communes have communal cultural facilities.

Employment promotion

62. In 2017, approximately 1,641,000 workers were provided jobs (an increase of 1.5% in comparison with 2016), in which about 1,505,000 were employed domestically while unemployment was kept low (2.1 to 2.3%). Credit providing activity from the National Employment Fund continued to prove its effective role in supporting job creation, particularly disadvantaged workers. In 2017, the Fund helped generated employment for about 110,000 workers. In the first six months of 2018, the Fund provided assistance for more than 84,000 workers, including 61,000 women, 1,107 persons with disabilities and 4,502 people of ethnic minorities. The number of participants in unemployment insurance has continued to grow, from 9,219,753 in 2014 to 11,954,740 in 2017.

Supply of clean water

63. The percentage of households having access to clean water increased steadily during the period of 2002-2016, 93.4% nationwide and 99% in urban areas. Between 2010 and 2016, the percentage of clean water access grew by 2.9%, from 90.5% to 93.4%. Viet Nam has changed its approach from single-sector management to integrated cross-sector water resources management by proposing the establishment of six river basin committees and

effectively implementing cooperative activities with the National Mekong Committees of the Members of the Mekong River Commission. In terms of wetland, 8 areas have been recognized as Ramsar sites, 45 areas are planned to become inland water conservation zones; 47 areas are planned to be wetland reserves; and 09 important areas have been designated as Biosphere Reserves by UNESCO; 03 World Natural Heritage Sites and 06 ASEAN Heritage Parks.

Health care, education and housing for the poor

64. Viet Nam has achieved many positive results in ensuring the people's health. The rate of low height-for-age children under 5 declined from 14.1% in 2015 to 13.9% in 2016. By 2015, Viet Nam had achieved the MDGs on maternal mortality rate, which was down by 3/4 compared to 1990. Infant mortality rate had also dropped to 14.7% for children under 1 and 22.1% for children under 5. The ratio of malnourished underweight children under 5 had decreased rapidly and steadily to 13.8% in 2016. New incidence of tuberculosis fell from 375/100,000 in 2000 to 187/100,000 in 2015.

65. Ensuring the right to education continues to be one of the top priorities in the development strategy. Despite budget constraints, Viet Nam maintains 20% of the State expenditure for education. Since 2014, the Government has issued Decree No. 20/2014/ND-CP on universal education and literacy and many other important documents[24].

66. Thanks to these efforts, all 63 cities and provinces have achieved universal preschool education for 5-year-old children and universal primary education. Currently, the percentage of level-one literacy for the 15–35 and 15–60 age groups are 97.92% and 97.35% respectively. In the 2017-2018 academic year, there are 23,025,299 students across the country, including 5.3 million preschool children, 8 million primary students, 5.4 million secondary school students, 2.5 million high school students and 1.8 million college and university students.

67. There are 235 universities and 1,974 vocational education institutions, including 388 colleges, 551 vocational intermediate schools and 1,035 continuing education centers. In 2017 alone, 2.2 million were enrolled, including 540,000 college and vocational school students, 1,660,000 basic and under-3-month trainees; vocational training assistance was provided for 20,000 people with disabilities and 600,000 rural.

68. Housing support policies for the poor are being strongly driven. By March 2018, over 570,000 poor households in rural areas have received housing support; over 14,000 poor households in central region of Viet Nam have been given assistance in building storm and flood-resistant houses; 982 projects for 190,841 households within the program for building residential clusters and structures in flood-affected areas of the Mekong Delta have been completed; 100 housing projects for workers (41,000 flats) have been finished and 72 others (88,000 flats) are underway; 89/95 housing projects for about 220,000 students have been completed and put into use, while the remaining are underway; 84 projects (33,700 flats) for low-income people in urban areas have been finished, while the construction of 134 other projects (81,000 flats) are ongoing. According to the National Housing Development Strategy, by 2020, Viet Nam shall make the effort to build at least 12.5 million m^2 of social housing for policy beneficiaries who face housing difficulties.

C. Protection of vulnerable groups and people in underprivileged areas

Rights of person with disabilities

69. Viet Nam has 7 million persons with disabilities (7.8% of its population); of which 48% are women and 28.3% are children. At present, 63 provinces and cities has been subsidizing 1,006,923 people with heavy and/or special disabilities. The MOH[25] has implemented community-based rehabilitation programs in 53 provinces and municipalities, provided early disability diagnosis for 700,000 children, and issued health insurance cards for 800,000 persons with disabilities. Viet Nam has one occupational rehabilitation hospital at central level and 62 occupational rehabilitation hospitals or centers operated at the provincial, ministry or agency levels. 100% of central-level specialized and general

hospitals and 98% of municipal and provincial hospitals have occupational rehabilitation departments.

70. There are 20 centers supporting inclusive education and 107 specialized education centers for children with disabilities all over the country. The number of children with disabilities attending secondary and tertiary education grows every year. At present, there are 256 training facilities for persons with disabilities, and 400 enterprises owned by persons with disabilities. About 140,000 persons with disabilities have received vocational training and employment assistance through support programs and the Employment Fund.

71. In December 2014, Viet Nam promulgated the National Technical Standard on building construction accessible for person with disabilities[26]. Newly built or renovated apartment buildings and public works must meet the standard of QCVN10:2014/BXD to be licensed and must be officially inspected before use[27]. Viet Nam is maintaining its policy to exempt or reduce between 20% and 100% of public transportation fare for person with disabilities. 20,016,222 commuters with disabilities received such exemptions in 2016.

72. Agent Orange/Dioxin victims have continued to receive special attention from the State and the public. 232,000 affected persons and 80,000 of their biological children have been provided annual welfare support since 2000 and a wide range of concessions in education, training, housing, rehabilitation and the provision of aid and assistance tools[28].

Care for the elderly

73. Around 1,629,484 elderly persons receive social welfare policies on a monthly basis; 912,357 are provided regular medical checkups on at least an annual basis; more than 1,270,000 have medical and health records. There are 97 hospitals at the central and provincial levels with geriatrics faculties, an increase of 47 from 2016. 92.8% of elderly persons have health insurance. Over 540,000 elderly persons have been given discounts on public transports.

74. The Viet Nam Association of the Elderly has been organizing annual programs aimed at caring for and promoting the role of the elderly, such as the "Clear eyes for the elderly", "Role of the elderly in protecting the environment and building new rural areas". Funds for caring and promoting the role of the older persons have been established in 100% of cities and provinces and more than 70% of all communes, townships and wards across the country.

Rights of women

75. The 2015 Law on National Assembly and People's Council Elections denotes that the number of women nominated for National Assembly and People's Council candidacy must account for a minimum of 35% of the official candidate list. The percentage of women deputies of the National Assembly for the 2016-2021 term is 26.72%, increasing by 2.62% from the previous term. For the same term, the average percentage of women representatives in provincial People's Councils is 26.54% (increasing by 1.37%); 27.85% at the district level (increasing by 3.23%), 26.59% at the commune level (increasing by 4.88%). As of December 2017, 12/30 ministries and ministerial agencies and 16/62 provinces and cities have women leaders. The ratio of enrolled female students in line with their age group is the same as that of male students. 42% of people with master's degrees and 21% of people with doctorates are women. Women's workforce participation is 72.5%, while 27.8% of enterprises have women leaders.

76. Efforts aimed at preventing domestic violence and providing healthcare for women have resulted in significant progress. In 2016, the rate of maternal mortality decreased to around 58/100,000 live births (0.3/100,000 lower than 2015 and 1/100,000 lower than 2014). In 2016, 18,104 victims of domestic violence were given legal counseling and healthcare at support centers (an increase of 12.9% compared to 2015) and 7,058 offenders had received counseling (4.5% increase from 2015). In 2017, the Government organized the Action month for gender equality and prevention of gender-based violence with over 800 activities held across the country[29]. Since 2015 Viet Nam has collaborated with UNWOMEN in "HeForShe" campaign. 100% of radio stations and television channels have specified features on gender equality. Services related to gender equality have been

implemented at social services centers and within the communities, notably the Marriage Support Center, Community's Reliable Address, Peace House and Temporary Shelter and other projects that support women's start-ups.

Rights of the child

77. Child care and protection policies have achieved promising results. The rate of children under 3 provided childcare at kindergartens has increased from 11% for the 2000–2001 academic year to 27.7% for the 2016–2017. The rate of children between 3 and 5 attending kindergarten has risen from 49% to 80.5% between 2000 and 2013 and to 92% in the 2016-2017 academic year. For the 5-year-old group preparing for their first year, rate of school attendance has grown from 72% in the 2000–2001 academic year to 98% in the 2016–2017. The 2017 target of having at least 87% of children with special backgrounds receive assistance has been reached.

78. The Government has implemented the 2016-2020 Program on the Promotion of Children's Participation in children-related issues. Following Ho Chi Minh City's introduction of the first Child Council (June 2017), Hanoi, Binh-Dinh, Quang-Ninh and Yen-Bai have also adopted this model. Additionally, the Child Forum is biannually organized at the national level and annually at the provincial, district and communal levels.

79. Since 2017, the Action month for children (May) has been organized in all provinces and cities[30]. In 2017, the Prime Minister had established a National Committee on Children and a national hotline for children (111). During 2016–2018, the 111 Hotline provided counsel for 975 cases of child sexual abuse and 1045 cases of violence against children.

Rights of ethnic minorities

80. Ethnic minorities are enabled to participate in the political system, social and state administration. In the 14th National Assembly, there are 86 deputies from ethnic minorities (17.3%)[31]; the ratio of officials and public servants from ethnic minorities at provinces and municipalities is 14.53%, of which 49.2% are women. 17.2% of leaders, managers in the public sector are from ethnic minorities.

81. To narrow the socio-economic gap among the ethnicities in Viet Nam, the Government has adopted the 2017-2020 Special Policy on Socio-economic Development Assistance for Ethnic Minority and Mountainous Regions, Program 135 under the 2016–2020 National Target Program for Sustainable Poverty Reduction, the Government's Resolution on Strengthening Human Resource Development for Ethnic Minorities from 2016 to 2020 and many important projects[32]. Viet Nam is drafting the Law on Development Assistance in Ethnic Minorities Areas.

82. Socio-economic development policies in ethnic minorities areas have yielded in various positive results. The ratio of poor households was reduced from 35% in 2011 to 16.8% at the end of 2015. In 2016, the ratio of multidimensional poverty among households in ethnic minorities and mountainous areas decreased by 2% compared to 2015, 98% of households getting out of poverty did not relapse into poverty. In the period of 2014-2016, 38% of the ethnic minorities population have graduated to higher economic condition categories (the respective national ratio is 28%); 42% of the economically vulnerable groups have graduated to the safe group.

83. Special attention is given to guaranteeing the right to education and information access for people from ethnic minorities. At present, there are 315 boarding high schools for ethnic minorities with 94,000 students, 1,013 day-boarder high schools with 159,212 students and 4 pre-universities with 4,000 students. In the 2017–2018 academic year, ethnic minority languages were taught in 22 provinces and cities, at 715 schools; eight such languages[33] became subjects in the curriculum and 6 textbook sets were published in ethnic minority languages[34]. Additionally, the Pilot Project on equipping radio receivers for ethnic minorities and communities in underprivileged areas has been implemented since October 2017. By 2018, 92% of ethnic minorities have access to radio, 85% can watch TV with many programs broadcasting through languages of ethnic minorities. VOV4 radio channel feature programs related to ethnic minority issues and VTV5 TV channel broadcast in ethnic minority languages; 13 magazines and newspapers have special issues on ethnic

minorities. The States attaches special importance to preserving the cultures of the ethnic minorities; many of their heritages are recognized as national cultural heritages[35]. With the support of the Government, 891,129 ethnic minority households now live in their own ethnicity's traditional houses, 195,215 households continue to play traditional musical instruments and 500,000 households are maintaining, developing and propagating their traditional songs and dances.

Support for victims of human trafficking

84. Viet Nam has issued numerous policies and legal documents to prevent and combat human trafficking, for instance, the 2016-2020 Program for Preventing and Combating Human Trafficking aiming at reducing the risk and occurrences of human trafficking and effectively repatriating, protecting and supporting victims of trafficking[36]. Since 2016, the Government has approved July 30th as the "National Day against Human Trafficking".

85. From 2014 to the end of 2017, the People's Procuracy at all levels have prosecuted 829 cases and 1,539 defendants in human trafficking cases. From 2014 to July 2018, the People's Courts at all levels have undertaken 796 cases with 1,475 defendants accused of human trafficking-related crimes. From 2016 to the first quarter of 2018, Vietnamese authorities have verified, rescued, and received 4,000 cases (in which 1214 victims were identified as victims of trafficking); 100% of identified victims of human trafficking who so required have received initial support, psychological counseling, medical examinations and legal aid. Many victims received support, vocational training and stable employment for community rehabilitation.

86. Education and public awareness raising on human trafficking prevention and combat have been implemented in various formats. In the period of 2011–2015, the localities organized nearly 250,000 community-based communication activities to over 15 million participants; distributed over 150,000 documents; and produced nearly 150 thematic reports and documentaries on this work.

Support for drug addicts and persons with HIV/AIDS

87. By 31 December 2017, Viet Nam has 222,582 persons with drug addiction having monitoring records. Persons with drug addition are provided with opportunities for treatment, detoxification, regular education, vocational training and support for employment. According to the Program on Reforms in Drug Rehabilitation in Viet Nam to 2020, Viet Nam has converted former Centers for Treatment, Education and Social Affairs into Centers for Drug Rehabilitation, thus encouraging voluntary detoxification, gradually reducing compulsory rehabilitation and developing a community-based treatment and rehabilitation system. Viet Nam currently has 105 multi-purpose drug rehabilitation facilities managed by the State, with the capacity of 50,000 participants, and 294 methadone treatment centers with over 52,800 patients.

88. Viet Nam has 209,450 persons with HIV and 1,345 medical centers that provide HIV testing and consultancy services. Persons with HIV/AIDS are not discriminated. Great attention is given to raising public awareness and education on drug and HIV/AIDS prevention in various formats.

Response to the effects of climate change and natural disasters

89. As one of the countries most severely affected by climate change and natural disasters, Viet Nam places great emphasis on assisting the people in climate change adaptation. In particular, the 2016-2020 Target Program for Climate Change Adaptation and Green Growth focuses on raising climate change awareness and adaptation capacity, reducing greenhouse gas emission, developing a low-carbon economy and proactively participate in international cooperation to protect the global climate system. Furthermore, the 2016-2020 Target Program for Sustainable Forestry Development aims to meet the requirements of mitigating natural disasters, protecting the environment and adapting to climate change and rising sea level, maintaining 25 million jobs on a stable basis, increasing income, reducing poverty and improving people's livelihood. Viet Nam is also

regularly updating the Climate Change and Rising Sea Level Scenario for the localities and the public's active response.

90. During the period of 2013–2015, the Government provided VND 1.034 trillion to vulnerable areas of Mekong Delta, accounting for 30% of the total investment (figures are expected to be tripled over the 2016–2020 period). Likewise, assistance for vulnerable coastal provinces accounted for over 60% of the total national investment. To support people affected by natural disasters, in 2017, the Government provided VND 3.6967 trillion (relief for storms, floods, droughts and salinization, 14,674 tons of relief rice, 3,265 tons of rice seeds, 835 tons of corn seeds, 82 tons of vegetable seeds and thousands of doses of medicine, vaccine and sterilizing chemicals. A supplementary amount of VND 244,107 billion and an advance amount of VND 664 billion were reallocated from the State budget to the localities for the purchase of seeds and to assist production.

IV. Priorities and commitments in the furthering of human rights protection and promotion in Viet Nam

A. Difficulties and challenges

91. The achievements in the protection and promotion of human rights in Viet Nam, including the implementation of the recommendations accepted in the Second Cycle, demonstrate the strong commitment and constant efforts of Viet Nam in its cause of national development with people-oriented, people-driven and people-centered policies. At the same time, Viet Nam is still facing many difficulties and challenges stemming from its particularities as well as the need to address global challenges.

92. The legal framework on human rights still needs to be further improved, including the continued reviewing, amending, supplementing and the issuance of new legal documents to match the Constitution, as well as the enhancement of the institutional framework for human rights protection. This process requires the establishment of relevant policy tools and facilities, which creates enormous pressure in terms of finance, time and human resources. This also represents the challenge in considering adherence to more international human rights treaties and in strengthening human rights institutions, as recommended to Viet Nam in the Second Cycle.

93. Viet Nam has to address a wide range of internal and external challenges in order to allocate sufficient resources for development, particularly to implement policies to support and ensure the rights of vulnerable groups. Social security coverage is still modest, especially among the poor and other vulnerable groups. The risk of worsening inequalities in access to services still persists among different geographical areas, communities and population groups. Globalization and the Fourth Industrial Revolution on one hand provide opportunities for trade and economic development and integration, productivity enhancement and resources accumulation, on the other, may also widen inequality. Climate change and extreme weather events, along with other global issues that Viet Nam and other countries have to address together, may undermine achievements in human rights.

94. Human rights education in the national education system in particular, and education and information for citizens to raise their awareness of human rights in general require further efforts and time to yield far-reaching outcomes.

95. There remain many challenges in striking a balance between protecting the traditional values, customs and culture of the communities and combating discrimination and universalizing the enjoyment of human rights. For instance, there remain difficulties in combating child marriages in ethnic minority communities or combating domestic violence in rural areas. These are "double challenges" as the communities facing these issues are usually also underprivileged in accessing public services. Laws and policies awareness among these communities, and their ability to adhere to them remain limited still.

B. The priorities and commitments of Viet Nam in the future

96. Viet Nam is fully committed to exerting continual efforts for better protection and promotion of human rights, through building on new institutional, legal and policy progresses, overcoming difficulties, realizing the "Enabling Government for the People" and promoting sustainable development. Viet Nam wishes to engage in genuine dialogue and effective cooperation with Member States in this Review and would actively consider recommendations put forward, especially those relevant to Viet Nam's priorities and workable given Viet Nam's existing circumstances, particulars and resources.

97. Viet Nam's highest priority in this area is to enhance the rule-of-law and legal reform aiming at consolidating the institutional, legal and policy foundation for the protection and promotion of human rights. Viet Nam will also enhance administrative reform, prevent and combat corruption and undue bureaucratic burden, promote democracy, reinforce the rule-of-law, and strengthen institutions for the protection of human rights, including further, thorough deliberation of the possible establishment of a National Human Rights Institution. In this process, Viet Nam will continue to ensure and encourage the constructive participation of the people, in accordance with legal provisions.

98. Viet Nam is committed to further strengthening sustainable development through the implementation of the SDGs and VSDGs. Viet Nam shall focus on policies towards multi-dimensional poverty reduction and bridging the developmental gaps among geographic areas and population groups, with special attention given to vulnerable groups. In this endeavor, Viet Nam shall spare no efforts to reduce inequalities in access to services relating to human rights and social security and to ensure gender equality.

99. The important measures along this line are: to ensure sustainable livelihoods for the people, to improve the quality and the coverage of services and to increase the participation of the non-governmental sector in the provision of these services. Viet Nam will also focus on policies that help improve access to services for vulnerable groups and study the possibility of developing insurance schemes for people working in agriculture, the sector with a high concentration of labor in Viet Nam.

100. Viet Nam prioritizes the rights to education and shall promote human rights education to raise the awareness of the people and the capacity of law enforcement agencies to better ensure human rights and fundamental freedoms for the people, in accordance with Vietnamese laws and international human rights standards.

101. Viet Nam is strongly committed to the promotion of genuine dialogue and effective cooperation with all Member States and UN human rights mechanisms in the spirit of equality, respect for international laws and non-interference, with the aim of bringing about substantive benefit and enhancing the enjoyment of human rights for the people.

102. Viet Nam shall continue to seriously observe its obligations under international human rights conventions to which it is a Party, and will consider the possibility of and prepare for accession to other international human rights instruments. Dialogue and cooperation with Special Rapporteurs, including further consideration of extending invitation to them, will continue to be a focus in the upcoming future. Presenting candidatures to UN bodies that play important roles in the maintenance of peace and security or that directly relate to the enjoyment of human rights of all people in the world, is an important area of Viet Nam's priorities in this line.

Notes

[1] Ministry of Foreign Affairs.

[2] The Working Group comprises of: the Ministry of Foreign Affairs (coordinator), Office of the Government, Ministry of Public Security, Ministry of Labor, Invalids and Social Affairs, Ministry of Planning and Investment, Ministry of Justice, Ministry of Information and the Media, Ministry of Health, Ministry of Internal Affairs, Ministry of Education and Training, Ministry of Agriculture and Rural Development, Ministry of Construction, the Ethnic Committee, the Governmental Religious Committee, the Supreme People's Court, the Supreme People's Procuracy, and the Viet Nam Union of

Friendship Organizations.

[3] Voluntary National Review of the implementation of SDGs.

[4] The 2013 Constitution was adopted by the National Assembly on November 28, 2013 and came into force on January 1, 2014.

[5] For instance, the Law on Access to Information and the Law on Referendum were promulgated for the first time.

[6] Sustainable Development Goals of Viet Nam.

[7] Vietnamese Dong.

[8] In addition, a number of other pertinent documents related to agriculture have also been issued: the Master Plan for Hi-tech Agricultural Zones and Regions until 2020 with a vision for 2030 (2015), the 2017-2020 Plan for Agricultural Restructuring (2017).

[9] Article 414 provides for procedures for persons under 18 years of age, particularly procedures that are age-friendly-and-psychologically-appropriate; ensuring the right to personal privacy. Article 415 requires that the prosecutor for cases involving persons under 18 years of age to be provided training, or have experience in investigation, prosecution, trying persons under 18 years of age; and equipped with the necessary knowledge about psychology, education science. Article 418 provided in more details monitoring responsibilities for the accused who are persons under 18 years of age. Article 419 limited and provides for more stringent requirements related to the application of measures to arrest, detain, remand defendants who are persons under 18 years of age.

[10] On September 21, 2018, the People's Supreme Court issued Circular 02/2018/TT/TANDTC regulates procedures of criminal cases with participants under the age of 18 at the Family and Juvenile Courts.

[11] The Government also approved the 2016-2020 Children Protection Program; the Project for the Development of Child Protection Services; and the Project on Assisting and Developing Independent Kindergartens in Industrial and Export Manufacturing Zones to 2020.

[12] In accordance with Decree 136/2013/ND-CP on social support for the beneficiaries of social protection.

[13] Along with the 201[illegible]-2025 Project on Healthcare for the Elderly, the 2016-2020 Project on Multiplying the model of Intergenerational clubs for Mutual Assistance for the 2016–2020 period.

[14] ASEAN countries are implementing the 2016-2020 Work Plan of AICHR and the Work Plan of the ASEAN Commission on the Protection and Promotion of the Rights of Women and Children.

[15] From Article 123 to Article 156.

[16] Procedures related to the promotion, nomination, rotation or dismissal of religious officials, or of the activities of religious training institutions, among others.

[17] The Catholic Institute of Viet Nam, The Great Seminary of the Immaculate Mother of Bui Chu; Cao Dai Institution, Intermediate School of Hoa-Hao Buddhist Studies and Christian Theological College.

[18] Article 25 of the 2013 Constitution.

[19] Ministry of Information and Communication.

[20] The 05 highly influential Social – Political Organizations include: the Viet Nam General Confederation of Labor, Viet Nam Farmers' Union, Ho Chi Minh Communist Youth Union, Viet Nam Women's Union, Viet Nam War Veterans' Association.

[21] The Criminal Procedure Code 2015 also provide provisions on the rights of detained persons in urgent cases, persons under temporary detention and custody (Article 58 and 59).

[22] The Criminal Code 2015, revised in 2017, has Article 371 on the issuance of illegal decision, Article 373 on the use of torture; Article 374 on the use of coercion in obtaining testimonial.

[23] Decision 59/2015/QD-TTg dated November 19, 2015 promulgates multidimensional poverty levels: (i) Poor households in rural areas are households with per capita income of VND 700,000 or less, or VND 700,000–1,000,000 and a shortage from 3/10 indicators measuring the access to basic social services; (ii) Poor households in urban areas are households with per capita income of VND 900,000 or less, or VND 900,000–1,313,000 and a shortage from 3/10 indicators measuring the access to basic social services.

[24] Decree 06/2018/ND-CP on Policies on lunch support for kindergarten children and policies for preschool teachers, Project on Enhancing Vietnamese Language for preschool and elementary school students in ethnic minority areas for the period of 2016-2020, with a vision to 2025.

Ministry of Health.

[26] Standard QCVN10:2014/BXD.

[27] In 2015, Viet Nam issued Decree 46/2015/ND-CP on construction quality management and maintenance and Decree 59/2015/ND-CP on construction project management, which require constructing agencies to comply with the national construction standard.

[28] The MOH is implementing the Project for Healthcare and Rehabilitation for Victims of Agent Orange between 2018 and 2021.

[29] Under the theme of "Joining hands to eradicate violence against women and girls".

[30] The 2017 theme was "Implementing the Law on Children and preventing violence and abuse against

children" and that of 2018 was "For a safe and healthy life for children".

[31] Ethnic minorities account for 13.8 percent of the total population.

[32] Important projects include: Decision for the Implementation of the SDGs concerning ethnic minorities (2015), Project on Socio-economic Development Assistance for ethnic micro-minorities for the period of 2016-2025, the Project on Assisting Gender Equality Activities in Ethnic Minority Areas for the period of 2018-2025, the Project on Reducing Early Marriage and intermarriage in Ethnic Minorities Area for the period of 2015-2025, the 2016 Project on Ethnic Minorities Issues Training for officials and public servants, and the Project on Assisting Ethnic Minorities in the Application of Information Technology.

[33] In the Khmer, Cham, Jrai, Bahnar, Ede, Mong, M'Nong, Thai languages.

[34] In the Khmer, Cham, Jrai, Bahnar, Ede, Mong, M'Nong languages.

[35] "Long Tong festival" of the ethnic minority of Tay, "Cap Sac festival" of the ethnic minority of Dao, Bull Race in Bay-Nui, An-Giang Province , Art of Gong of the ethnic minority of Muong in Hoa-Binh Province, etc.

[36] The 2015 Criminal Code has many provisions on trafficking related crimes, including Article 150 on trafficking crime, Article 151 on crime of trafficking persons aged under 16, Article 152 on crime of fraudulence of persons under 1 year of age, Article 153 on crime of appropriating persons aged under 16.

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Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. The Committee on Economic, Social and Cultural Rights[3] and the Special Rapporteur on the right to food[4] encouraged Viet Nam to consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

3. In 2015, the Committee on the Elimination of Discrimination against Women encouraged Viet Nam to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.[5]

4. The same Committee[6] and the United Nations country team[7] encouraged Viet Nam to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Committee encouraged Viet Nam to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.[8]

5. The same Committee recommended that Viet Nam consider ratifying the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).[9] The Committee on Economic, Social and Cultural Rights invited Viet Nam to ratify the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).[10]

6. The Committee on Economic, Social and Cultural Rights invited Viet Nam to ratify the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).[11]

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The United Nations country team recommended that Viet Nam ratify the ILO Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the Private Employment Agencies Convention, 1997 (No. 181) to protect the rights of migrant workers.[12]

7. The Committee on the Elimination of Discrimination against Women[13] and the Office of the United Nations High Commissioner for Refugees (UNHCR)[14] recommended that Viet Nam expedite its accession to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

8. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Viet Nam ratify the 1960 Convention against Discrimination in Education and, if necessary, seek the support of UNESCO in that process.[15]

9. The Working Group on Arbitrary Detention noted that during the universal periodic review of Viet Nam in February 2014, some 38 recommendations had been made on freedom of opinion and expression, of peaceful assembly and of association. Several of those recommendations had related specifically to the review of vague provisions on national security offences in the Penal Code, including article 88, the release of political prisoners, protection of human rights defenders and the need to implement the opinions of the Working Group.[16]

III. National human rights framework[17]

10. The Committee on Economic, Social and Cultural Rights[18] and the Special Rapporteur on food[19] called upon Viet Nam to expedite the process of establishing a national human rights institution, compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

11. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam enhance the implementation of the National Strategy on Gender Equality (2011–2020) by allocating the human, technical and financial resources necessary to ensure that gender equality was mainstreamed across all areas of government work.[20] The Committee on Economic, Social and Cultural Rights recommended that Viet Nam implement temporary special measures to achieve the objectives of women's representation in public administration, as set out in the 2011–2020 National Strategy on Gender Equality.[21]

12. The same Committee urged Viet Nam to review the restrictions to the exercise of economic, social and cultural rights, as provided for in article 14 (2) of the Constitution and its implementing regulations and legislation, to bring them into line with article 4 of the International Covenant on Economic, Social and Cultural Rights.[22] The Committee recommended that Viet Nam fully incorporate the provisions of the Covenant in domestic law.[23]

13. The ILO Committee of Experts on the Application of Conventions and Recommendations requested the Government to provide information on the progress achieved in elaborating and adopting a national strategy on child labour.[24] The United Nations country team recommended changing the definition of a child to a person aged below 18 years, in line with the Convention on the Rights of the Child.[25]

14. The United Nations country team recommended that Viet Nam take steps to develop a national action plan on business and human rights in 2019, which would include capacity-building of government officials to ensure that all business activity respected human rights through laws, policies, research, monitoring, awareness-raising and remedies.[26]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[27]

15. The Committee on Economic, Social and Cultural Rights[28] and UNESCO[29] recommended adopting a comprehensive anti-discrimination law defining, prohibiting and sanctioning discrimination on all grounds, and providing for the implementation of temporary special measures and remedies for victims.

16. UNESCO stated that Viet Nam should intensify efforts to combat and eliminate discrimination against vulnerable groups.[30]

17. The Committee on the Elimination of Discrimination against Women welcomed the inclusion of the principle of gender equality and the prohibition of discrimination based on sex in the 2013 Constitution.[31] It recommended adopting comprehensive measures to tackle the root causes of gender inequality and modifying entrenched discriminatory gender stereotypes and cultural beliefs that favoured men over women.[32]

18. The United Nations country team recommended that Viet Nam adopt the law on gender affirmation as soon as possible and ensure its consistency with international human rights standards to enable transgender persons to change their legal gender marker.[33]

2. Development, the environment, and business and human rights[34]

19. In February 2018, four special procedure mandate holders called for the release of individuals jailed for reporting and reacting to a discharge of toxic industrial chemicals into coastal waters off Viet Nam. They noted that authorities should have ensured that the economic expansion of Viet Nam did not affect human rights, in particular those of local communities and workers.[35]

20. The Committee on Economic, Social and Cultural Rights was concerned that laws and regulations governing land revocation and sedentarization fell short of international standards, and that individuals and communities affected by development programmes had not obtained fair compensation for seized lands or been adequately resettled. The Committee urged Viet Nam to guarantee the transparency of the processes, including by making information on compensation rates and places of resettlement available.[36] The Special Rapporteur in the field of cultural rights recommended that the cultural rights of the communities concerned be taken into consideration in planning and implementing development programmes.[37]

21. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam use expropriation of land only for public purposes defined under the law and with adequate compensation and reparation for affected women.[38]

B. Civil and political rights

1. Right to life, liberty and security of person[39]

22. The United Nations country team recommended that Viet Nam immediately impose a moratorium on executions and amend the Penal Code to further reduce the number of offences for which the death penalty could be imposed, with a view to abolishing the death penalty for all offences by 2023.[40]

23. The Working Group on Arbitrary Detention issued six opinions in which it considered that the appropriate remedy would be to immediately release the detained individuals concerned, and grant them an enforceable right to compensation or provide them with reparation.[41] In March 2017, five special procedure mandate holders urged the

Government to immediately release a blogger who had been detained incommunicado since October 2016, without access to a fair trial, legal counsel or family visits.[42]

24. The United Nations country team reported that as at May 2018, an estimated 100–150 human rights defenders were in prison. Defenders were allegedly harassed, attacked, arrested, detained and ill-treated in custody for criticizing the Government or its policies, including its management of an environmental disaster in April 2016. Between 2014 and 2017, more than 70 defenders had been arrested and detained for charges under broad provisions of the Penal Code.[43] The United Nations country team recommended that human rights defenders who had been sentenced to prison terms for peacefully expressing their views be released without delay.[44]

25. The United Nations country team recommended that Viet Nam set a firm timetable for closing all six compulsory drug detention and rehabilitation centres. It recommended that Viet Nam ensure that detainees were healthy, respect their due process and labour rights, and provide voluntary, evidence-based and rights-based health and social services in the community as alternatives to detention.[45]

2. Administration of justice, including impunity, and the rule of law[46]

26. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam enhance the implementation of relevant national laws that accorded priority to the judicial process rather than reconciliation and mediation for dispute resolution, including in cases of domestic violence and property disputes. The Committee also recommended raising awareness among community leaders, law enforcement officers, lawyers and the judiciary to ensure women's access to justice.[47]

27. The Committee on Economic, Social and Cultural Rights was concerned at the absence of effective remedies for victims of violations of economic, social and cultural rights. Moreover, it was concerned at reports of intimidation of and reprisals against individuals claiming violations of their rights, such as forced evictions or poor working conditions.[48]

28. The Office Committee urged Viet Nam to address the root causes of corruption and related impunity and to ensure that public affairs were conducted, in law and in practice, in a transparent manner. It recommended enforcing compliance with the legal provisions on the protection of the human rights of those engaged in anti-corruption activities, in particular victims, whistle-blowers, witnesses and their lawyers.[49]

3. Fundamental freedoms and the right to participate in public and political life[50]

29. Following his visit to Viet Nam in July 2014, the Special Rapporteur on freedom of religion or belief observed the relevance of the divide between urban and rural areas. The conditions of religious communities varied considerably according to different practices in different parts of the country. Moreover, policies at the central level had not always been efficiently communicated to the authorities at the local level.[51] The Special Rapporteur recommended prioritizing investigations into allegations of violations of freedom of religion or belief and other human rights, and effective legal recourse to allow victims whose freedom of religion or belief had been infringed upon to obtain redress and compensation.[52]

30. While noting that many representatives of religious communities had agreed that, in spite of ongoing serious problems, space for religious practices had increased in recent years, the Special Rapporteur also observed the frequent invocation of unspecified "majority interests" or interests of "national unity and harmony" or "public order".[53] The Special Rapporteur recommended that State officials and religious leaders refrain from publicly attacking independent religious groups, including through the media.[54]

31. In June 2016, two special procedure mandate holders stated that the Government had the obligation to respect the right of religious communities to organize themselves as independent communities and to appoint their own leaders. They urged the Vietnamese authorities to put an end to all persecution and harassment, including criminalization, of

religious leaders, human rights defenders, women's rights defenders and members of their families.[55]

32. In October 2016, the United Nations High Commissioner for Human Rights expressed concern about a growing trend in arbitrary arrests and detentions, intimidation, harassment and attacks against human rights defenders.[56] In July 2017, the High Commissioner for Human Rights urged the Vietnamese authorities to immediately release all those who had been detained in connection with the exercise of their rights to freedom of expression, and to amend broad and ill-defined laws that were used — under the pretext of national security — to crack down on dissent.[57]

33. In April 2018, three special procedure mandate holders urged Viet Nam not to crack down on civil society or stifle dissent after the jailing of human rights defenders for conducting activities to "overthrow the Government". They urged the authorities not to muzzle dissenting voices or stifle the people's rights to freedom of expression, peaceful assembly and association in violation of the country's obligations under international human rights law.[58]

34. The United Nations country team indicated that, while the 2013 Constitution protected freedom of expression, restrictions remained. The 2016 Press Law maintained the press under State management, and had expanded the list of prohibited acts, including vague and broad provisions such as distorting history, negating revolutionary achievements, and offending the nation and national heroes. The Press Law did not prescribe prison terms for defamation, but various other speech-related offences were subject to long jail terms under the revised Penal Code.[59] UNESCO recommended that the Government foster a more pluralistic and independent media environment in accordance with international standards.[60]

35. The Committee on Economic, Social and Cultural Rights was concerned that civil society could not operate independently and called upon Viet Nam to create an enabling environment for the free establishment and functioning of civil society organizations, and to provide protection against harassment, arrest and detention of human rights defenders, including by prosecuting those responsible for such acts.[61] The Committee on the Elimination of Discrimination against Women urged Viet Nam to investigate allegations of harassment, arbitrary arrests, detention and ill-treatment of women human rights defenders, prosecute those responsible and provide remedies to the victims.[62]

36. The Committee on Economic, Social and Cultural Rights was concerned at reports of arrests and detention of bloggers and urged Viet Nam to abolish censorship of cultural activities and other forms of expression, and to bring restrictions on freedom of expression into line with international standards, including by abolishing related prison sentences.[63] The United Nations country team recommended that Viet Nam amend the Law on Cybersecurity to ensure independent judicial review and full alignment with its human rights obligations, in particular on freedom of expression, peaceful assembly and the right to privacy.[64]

37. The Committee on the Elimination of Discrimination against Women was concerned about the low representation of women in decision-making positions at the national and local levels.[65] It recommended that Viet Nam consider establishing a quota for female candidates higher than 35 per cent for the elections to the National Assembly and the People's Council for 2016–2021, with the aim of achieving the target of 35 per cent for elected female deputies set in the National Strategy on Gender Equality (2011–2020).[66] After having examined the follow-up information sent by Viet Nam,[67] the Committee considered that the recommendation had been partially implemented.[68]

38. The Committee on Economic, Social and Cultural Rights noted with concern the strict conditions for the lawful exercise of the right to strike and the broad definition of "essential services", which restricted civil servants' right to strike.[69] Furthermore, the Committee called upon Viet Nam to bring its legislation on trade union rights into line with international standards on the right to form and join the trade union of one's choice.[70]

4. Prohibition of all forms of slavery[71]

39. The Committee on the Elimination of Discrimination against Women noted with concern that Viet Nam remained a source country for internal and cross-border trafficking in women and children for purposes of sexual and labour exploitation.[72]

40. The ILO Committee of Experts requested the Government to pursue its efforts to prevent and combat trafficking in persons and to provide information on measures taken in that regard; and to continue to provide information on measures to ensure that victims of trafficking were provided with appropriate protection and services.[73]

41. The Committee on the Elimination of Discrimination against Women noted with concern the increase in the number of trafficked girls and reports of trafficking in newborns.[74] The Committee recommended that Viet Nam take effective measures to eliminate the root causes of trafficking and prostitution, including poverty, in order to remove the vulnerability of women and girls to such exploitation.[75] It also recommended taking measures to prevent and eliminate child prostitution, and ensuring that perpetrators of child prostitution were prosecuted and punished and that girls in prostitution were not treated as offenders but as victims.[76] The ILO Committee of Experts made a similar request.[77]

5. Right to privacy and family life[78]

42. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam review the Law on Marriage and Family with a view to setting the same minimum age for marriage for women and men; and consider the situation of women in de facto unions, and of the children resulting from such unions, and take the measures necessary to ensure the protection of their economic rights, including upon the dissolution of their relationships.[79]

43. The Committee on Economic, Social and Cultural Rights recommended that Viet Nam develop affordable childcare services and introduce a system of paternity leave.[80]

C. Economic, social and cultural rights

44. The Special Rapporteur on cultural rights stated that Viet Nam had made remarkable progress towards realizing a range of economic, social and cultural rights. In particular, considerable efforts were under way to enlarge people's access to education and culture, including in rural areas and remote regions.[81] Challenges remained in the enjoyment of artistic freedom, owing to the multiplicity of regulations in the area of artistic expression and the maintenance of a system of prior and post censorship.[82] The Special Rapporteur recommended abolishing prior censorship in all fields of artistic creation, in particular cinema and literature,[83] and ending the system of government control over publishing. She also recommended authorizing independent private publishing houses, cinemas and visual art studios to operate without impediment and fear of harassment.[84]

45. The Committee on Economic, Social and Cultural Rights was concerned about the extent of corruption in Viet Nam and its adverse effect on the realization of economic, social and cultural rights.[85]

1. Right to work and to just and favourable conditions of work[86]

46. Three special procedure mandate holders expressed concern about reports that women workers at two electronics factories, as well as labour activists, had been subjected to intimidation and harassment after they had raised concerns about working conditions at the plants. They noted that both the government authorities and companies concerned must ensure the space for civil society to verify the conditions of women working in manufacturing facilities.[87]

47. The United Nations country team recommended that Viet Nam reform the Labour Code to ensure gender equality, non-discrimination, freedom of association, the right to organize and collective bargaining rights, as well as expanded legal protections for informal

workers.[88] The Committee on the Elimination of Discrimination against Women made a similar recommendation.[89] The United Nations country team also recommended that Viet Nam, in the forthcoming 2019 Labour Code revision, move towards equalizing the retirement ages for women and men and address gender-based occupational segregation.[90]

48. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam reduce the gender wage gap, including by addressing occupational segregation of women in the public and private sectors, and promoting women's access to higher-paid jobs and decision-making positions.[91]

49. The same Committee recommended that Viet Nam ensure access by older women and minority women, especially women from the Degar and Khmer Krom communities, to training opportunities, such as vocational training, and financial resources, such as income-generating projects, credit facilities and pension and social benefits schemes.[92]

50. The Committee on Economic, Social and Cultural Rights noted with concern that the youth unemployment rate remained high in Viet Nam. A majority of unemployed young people had been found to be untrained for the labour market, despite the existence of a system of vocational training.[93]

51. The same Committee was concerned at the persistence of poor working conditions in Viet Nam, exacerbated by the size of the informal economy and the limited capacity of labour inspection.[94] It recommended that Viet Nam continue efforts to ensure that the level of the minimum wage provided a decent living for workers and their families, and that mechanisms were in place for enforcing the legal provisions on fair wages and equal remuneration for work of equal value, and to reduce the vulnerability of workers in the informal economy to abuse.[95]

52. The United Nations country team recommended that Viet Nam revise its labour market policies, including access to lifelong learning, to improve access to employment for older persons.[96]

2. Right to social security[97]

53. The Committee on Economic, Social and Cultural Rights was concerned that unemployment insurance was only available to paid-up contributors, and recommended that Viet Nam take the necessary policy and legislative measures to promote access to unemployment insurance, including by putting in place non-contributory social assistance unemployment benefits.[98]

54. The same Committee was concerned at the overall situation of older persons in Viet Nam, as only a small number of them received either pension benefits or the older persons' allowance, the amount of which was below the poverty line. The Committee recommended that Viet Nam increase the amount of social allowance to enable an adequate standard of living for the recipients.[99]

3. Right to an adequate standard of living[100]

55. At the end of her mission to Viet Nam in November 2017, the Special Rapporteur on food stated that the development of Viet Nam over the past 30 years had been remarkable. Economic and political reforms launched in 1986 had transformed Viet Nam from one of the world's poorest nations to a middle-income country. That economic growth had facilitated dramatic reductions in poverty and hunger, with a great positive impact on food security. Nonetheless, progress had been uneven in relation to those people living in remote areas, particularly ethnic minority populations, who faced persistent poverty and inequalities compared with the circumstances of the majority of the population. The Special Rapporteur encouraged Viet Nam to establish a comprehensive legal framework on the right to adequate food, with clear guidelines on the implementation of that right.[101]

56. The United Nations country team reported that Viet Nam had made significant progress in poverty reduction and the eradication of hunger. Generally, the lives of people in poor districts and access to public services and resources had improved. Nonetheless, around 70 per cent of people aged between 60 and 79 years old still did not receive income support from government schemes.[102] New forms of urban poverty had emerged among

migrants and informal sector workers due to rapid urbanization and social change.[103] High levels of chronic poverty persisted among ethnic minorities, older persons and non-registered migrants.[104]

57. The Committee on Economic, Social and Cultural Rights noted with concern the regional disparities in the enjoyment of the right to an adequate standard of living: those living in rural areas and ethnic minorities in remote and mountainous areas were particularly disadvantaged.[105]

58. The same Committee recommended that Viet Nam allocate more resources for the provision of safe water and improved sanitation, particularly in rural areas; ensure that costs associated with securing safe water and improved sanitation were affordable; and enforce regulations on water treatment in industrial zones, and take measures to protect water sources from contamination.[106]

4. Right to health[107]

59. The Committee on the Elimination of Discrimination against Women noted with concern the imbalance of the sex ratio at birth arising from a strong preference for male offspring, and recommended that Viet Nam take measures to prevent sex selection of fetuses.[108] The United Nations country team made a similar recommendation.[109]

60. The same Committee recommended that Viet Nam enhance efforts to reduce maternal mortality in rural areas and among women from ethnic minorities, which remained high in rural and mountainous areas and among ethnic minority women, by improving their access to basic prenatal and antenatal care, emergency obstetric care and the presence of skilled attendants at births.[110]

61. The same Committee noted with concern the high abortion rate among adolescents and recommended that Viet Nam ensure access to free, age-appropriate and high-quality information on sexual and reproductive health and to affordable family planning services and contraceptives. Decisions regarding sterilization and the use of contraceptives should be made based on the informed consent and voluntary will of the women and girls concerned.[111]

62. The Committee on Economic, Social and Cultural Rights was concerned that, in spite of the progress achieved in expanding enrolment in health insurance, its low coverage among workers in the informal economy impeded access to health care among disadvantaged and marginalized groups. The Committee also noted with concern the limited availability of quality health-care services, particularly in remote areas.[112]

5. Right to education[113]

63. The Special Rapporteur on cultural rights recommended that steps be taken to ensure a multicultural environment in schools, including boarding schools, and the development of adequate teaching materials reflecting the diversity of the population, its cultural heritage and history. Such programmes should be developed in cooperation with relevant communities.[114]

64. The Committee on Economic, Social and Cultural Rights recommended that Viet Nam adequately plan educational personnel needs; increase investment in early education for ethnic minority children and children living in remote areas; improve the system for tracking child dropouts and their reintegration in school; implement mother tongue-based bilingual education approaches; and strengthen the decentralized management of education.[115]

65. The Committee on the Elimination of Discrimination against Women noted with concern that discriminatory gender biases and stereotypes were perpetuated in education materials, girls were segregated in traditional fields of study and girls belonging to ethnic minorities had limited access to all levels of education.[116] The Committee on Economic, Social and Cultural Rights recommended removing gender biases and stereotypes in school materials.[117]

66. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam reduce illiteracy and school dropout rates and increase access to secondary and tertiary levels of education among girls belonging to ethnic minorities, including through the provision of bilingual education and scholarships and subsidies.[118]

67. The United Nations country team recommended that Viet Nam accelerate access to quality education, especially for people from disadvantaged and vulnerable backgrounds, including by investing in facilities and teaching and learning aids for children with disabilities.[119]

D. Rights of specific persons or groups

1. Women[120]

68. The United Nations country team stated that overall, Viet Nam had made significant progress in closing gender gaps in areas such as health and education. However, there was a lack of effective coordination and resources for implementation, as well as weak data collection and monitoring.[121]

69. The Committee on the Elimination of Discrimination against Women was concerned about the prevalence of violence against women and girls, including dating violence, violence in public spaces and workplace sexual harassment, as well as against older women and women in prostitution.[122] It recommended that Viet Nam review its legislation with a view to decriminalizing women in prostitution.[123] The Committee also recommended that Viet Nam revise the Penal Code and the Criminal Procedure Code and criminalize all forms of violence against women, including marital rape, dating violence, violence in public spaces and sexual harassment.[124] After having examined the follow-up information sent by Viet Nam,[125] the Committee considered that the recommendation had been partially implemented.[126]

70. The same Committee recommended that Viet Nam encourage women to report cases of violence and abuse by destigmatizing victims and raising awareness about the criminal nature of such acts, and ensure that all reported cases were effectively investigated and that perpetrators were prosecuted and adequately punished.[127]

71. The same Committee recommended that Viet Nam develop, as a matter of priority, a national plan of action to prevent and respond to all forms of violence against women and allocate sufficient human, technical and financial resources for its effective implementation.[128] After having examined the follow-up information sent by Viet Nam,[129] the Committee considered that the recommendation had been partially implemented.[130]

72. The United Nations country team indicated that Viet Nam had made efforts to reduce gender-based violence and domestic violence; nonetheless, too much emphasis on mediation remained. Preserving "family harmony" remained a key factor, making women hesitant to report domestic violence.[131] The Committee on the Elimination of Discrimination against Women recommended that Viet Nam review the use of reconciliation and ensure that women who were victims of domestic violence had effective access to protection orders and legal remedies.[132]

73. The same Committee was concerned that women's economic empowerment had not been mainstreamed into the overall development strategies of Viet Nam, and that most women in the agricultural and informal sectors, older women and minority women had limited access to social protection, training opportunities and financial resources compared with men.[133] The United Nations country team recommended that Viet Nam take measures to ensure ethnic minority women were well represented at all levels of decision-making.[134]

74. The Committee on Economic, Social and Cultural Rights recommended that Viet Nam amend all legislative provisions that were discriminatory against women, such as those in the Law on Marriage and Family, and those relating to the different retirement ages for men and women.[135]

2. Children[136]

75. The ILO Committee of Experts requested the Government to provide concrete information on the number of child victims of trafficking who had been provided with assistance and education or vocational training.[137] The Committee on Economic, Social and Cultural Rights recommended that Viet Nam recognize and register children of returned marriage immigrants who were stateless, and ensure that they received education, health care and other social services.[138]

76. The ILO Committee of Experts urged the Government to intensify its efforts to ensure the elimination of child labour and to take practical measures to strengthen the capacity and expand the reach of the labour inspectorate in its action to prevent and combat child labour, particularly in the informal economy.[139] The Committee on Economic, Social and Cultural Rights noted with concern that economic exploitation of children remained widespread. It recommended that Viet Nam eradicate the economic exploitation of children and bring provisions on permissible work for children into line with international standards.[140]

3. Persons with disabilities[141]

77. The United Nations country team noted that challenges remained in implementing policies and laws in accordance with the Convention on the Rights of Persons with Disabilities, including infrastructure, human resources and access to services such as rehabilitation at the district and community levels.[142] A general lack of knowledge on the rights of persons with disabilities among government officials and a lack of mechanisms to hold government agencies accountable were key challenges.[143] The United Nations country team recommended that Viet Nam amend the Law on Persons with Disabilities to align it with the Convention, in particular on the definition of disability.[144]

78. The Committee on Economic, Social and Cultural Rights noted with concern that persons with disabilities were discriminated against in the enjoyment of several rights, such as the right to education and the right to work, in spite of the adoption of the 2010 Law on Persons with Disabilities. The Committee recommended that Viet Nam allocate sufficient resources for the implementation of the 2012–2020 National Action Plan on Disability, especially with regard to accessibility and the provision of reasonable accommodation, particularly in rural areas.[145]

79. The ILO Committee of Experts requested the Government to provide information regarding measures taken to implement section 8 (1) of the Labour Code of 2012, the 2010 Law on Persons with Disabilities and the 2012–2020 National Action Plan on Disability, to ensure equality of opportunity and treatment in employment and occupation, including measures taken to allocate sufficient resources to actively recruit persons with disabilities in the public sector and reinstate the quota system, including in the private sector.[146]

4. Minorities and indigenous peoples[147]

80. The Committee on Economic, Social and Cultural Rights recommended that Viet Nam respect the right of everyone, alone or in association with others or as a community, to choose his or her identity, including the right to identify as belonging to an indigenous people, and adopt a statutory law governing the recognition of ethnic minorities and indigenous peoples and guaranteeing their rights.[148]

81. The same Committee urged Viet Nam to ensure, in law and in practice, the free, prior and informed consent of ethnic minorities on decisions that affected them, and provide legal assistance in that regard.[149] It recommended ensuring that ethnic minorities were fully involved in decision-making processes regarding the economic exploitation of their cultural heritage and that they obtained tangible benefits from those activities.[150]

82. UNESCO stated that Viet Nam should be encouraged to take necessary measures to ensure that children from minority groups were provided with quality education, including through the implementation of mother tongue-based bilingual education approaches for children of ethnic minorities.[151]

83. The United Nations country team recommended that Viet Nam enhance targeted interventions to address the particular needs of ethnic minority women and men, girls and boys, through improved investment in literacy, education and vocational training.[152]

5. Migrants, refugees, asylum seekers and internally displaced persons[153]

84. The Committee on Economic, Social and Cultural Rights recommended that Viet Nam broaden the scope of the Law on Vietnamese People Working Abroad under Contracts to include those who emigrated under individual contracts or irregularly.[154]

85. The Committee on the Elimination of Discrimination against Women was concerned that internal migrant workers, including women and girls, faced barriers in gaining access to basic social services, that women and girls, especially women domestic workers, were at a high risk of sexual and labour exploitation, and that migrant women who were victims of exploitation and violence faced barriers in filing complaints and gaining access to justice.[155]

86. The same Committee recommended that Viet Nam ensure that internal migrants and their families, including those not registered in the household registration system, enjoyed all the rights guaranteed to all Vietnamese citizens, and that it strengthen the inspection of workplaces, including private households.[156]

87. The Committee on Economic, Social and Cultural Rights urged Viet Nam to ensure that change of residence did not affect the enjoyment of economic, social and cultural rights. In particular, the Committee recommended immediately lifting the requirement of residential registration for accessing social benefits, housing, services such as water and sanitation, and school registration.[157]

88. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam adopt legislation and effective procedures for granting asylum and refugee status and provide protection on grounds of gender-based persecution.[158]

6. Stateless persons

89. While noting that Viet Nam was providing leadership on the prevention and reduction of statelessness in the region, UNHCR recommended undertaking a thorough analysis of its legal framework, with a view to implementing reforms to guarantee the right to a nationality and to provide safeguards to prevent statelessness occurring among children. Viet Nam should continue collaborating with UNHCR to enhance its technical capacity to identify and protect stateless persons.[159]

90. The Committee on the Elimination of Discrimination against Women recommended that Viet Nam continue to facilitate the reduction of statelessness, in particular the reacquisition of Vietnamese nationality by women who had become stateless by renouncing that nationality.[160]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Viet Nam will be available at www.ohchr.org/EN/Countries/AsiaRegion/Pages/VNIndex.aspx.
[2] For relevant recommendations, see A/HRC/26/6, paras. 143.1–143.30.
[3] E/C.12/VNM/CO/2-4, para. 36.
[4] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22439&LangID=E.
[5] CEDAW/C/VNM/CO/7-8, para. 44.
[6] Ibid., para. 48.
[7] United Nations country team submission for the universal periodic review of Viet Nam, para. 86.
[8] CEDAW/C/VNM/CO/7-8, para. 48.
[9] Ibid., para. 31.
[10] E/C.12/VNM/CO/2-4, para. 33.
[11] Ibid., para. 21.
[12] United Nations country team submission, para. 86.
[13] CEDAW/C/VNM/CO/7-8, para. 39.
[14] UNHCR submission for the universal periodic review of Viet Nam, p. 3.

[15] UNESCO submission for the universal periodic review of Viet Nam, p. 6.
[16] A/HRC/WGAD/2017/27, para. 38.
[17] For relevant recommendations, see A/HRC/26/6, paras. 143.31–143.46, 143.51–143.53, 143.66–143.76, 143.78–143.79 and 143.173–143.174.
[18] E/C.12/VNM/CO/2-4, para. 10.
[19] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22439&LangID=E.
[20] CEDAW/C/VNM/CO/7-8, para. 13.
[21] E/C.12/VNM/CO/2-4, para. 16.
[22] Ibid., para. 8.
[23] Ibid., para. 7.
[24] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294476:NO.
[25] United Nations country team submission, para. 62.
[26] Ibid., para. 92.
[27] For relevant recommendations, see A/HRC/26/6, paras. 143.86 and 143.88.
[28] E/C.12/VNM/CO/2-4, para. 13.
[29] UNESCO submission, p. 6.
[30] Ibid., p. 6.
[31] CEDAW/C/VNM/CO/7-8, para. 8.
[32] Ibid., para. 17.
[33] United Nations country team submission, para. 77.
[34] For relevant recommendations, see A/HRC/26/6, paras. 143.77, 143.216–143.218 and 143.226–143.227.
[35] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22696&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21815&LangID=E.
[36] E/C.12/VNM/CO/2-4, para. 29.
[37] A/HRC/28/57/Add.1, para. 109.
[38] CEDAW/C/VNM/CO/7-8, para. 37.
[39] For relevant recommendations, see A/HRC/26/6, paras. 143.89–143.118 and 143.136–143.137.
[40] United Nations country team submission, para. 9.
[41] A/HRC/WGAD/2015/45, para. 26, A/HRC/WGAD/2015/46, para. 37, A/HRC/WGAD/2016/40, para. 47, A/HRC/WGAD/2017/26, para. 71, A/HRC/WGAD/2017/27, para. 54 and A/HRC/WGAD/2017/79, para. 75.
[42] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21318&LangID=E.
[43] United Nations country team submission, para. 7.
[44] Ibid., para. 10.
[45] Ibid., para. 13.
[46] For relevant recommendations, see A/HRC/26/6, paras. 143.50 and 143.127–143.135.
[47] CEDAW/C/VNM/CO/7-8, paras. 10–11.
[48] E/C.12/VNM/CO/2-4, para. 9.
[49] Ibid., para. 12.
[50] For relevant recommendations, see A/HRC/26/6, paras. 143.139–143.172, 143.175–143.179 and 143.219.
[51] A/HRC/28/66/Add.2, para. 79.
[52] Ibid., para. 83 (i) and (k).
[53] Ibid., paras. 76 and 81.
[54] Ibid., para. 83 (j).
[55] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20054&LangID=E.
[56] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20679&LangID=E.
[57] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21921&LangID=E.
[58] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22937&LangID=E.
[59] United Nations country team submission, para. 18.
[60] UNESCO submission, p. 7.
[61] E/C.12/VNM/CO/2-4, para. 11.
[62] CEDAW/C/VNM/CO/7-8, para. 25.
[63] E/C.12/VNM/CO/2-4, para. 35.
[64] United Nations country team submission, para. 22.
[65] CEDAW/C/VNM/CO/7-8, para. 22.
[66] Ibid., para. 23.
[67] CEDAW/C/VNM/CO/7-8/Add.1, paras. 16–18.
[68] Letter dated 5 September 2018 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of Viet Nam to the United Nations Office and other international organizations in Geneva. Available from

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/VNM/INT_CEDAW_FUL_VNM_32313_E.pdf.

[69] E/C.12/VNM/CO/2-4, para. 20.
[70] Ibid., para. 21.
[71] For relevant recommendations, see A/HRC/26/6, paras. 143.122–143.126.
[72] CEDAW/C/VNM/CO/7-8, para. 20.
[73] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3296201:NO.
[74] CEDAW/C/VNM/CO/7-8, para. 20.
[75] Ibid., para. 21.
[76] Ibid.
[77] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294553:NO.
[78] For the relevant recommendation, see A/HRC/26/6, para. 143.138.
[79] CEDAW/C/VNM/CO/7-8, para. 41.
[80] E/C.12/VNM/CO/2-4, para. 16.
[81] A/HRC/28/57/Add.1, para. 99.
[82] Ibid., para. 106.
[83] Ibid., para. 108 (b).
[84] Ibid., para. 108 (d).
[85] E/C.12/VNM/CO/2-4, para. 12.
[86] For relevant recommendations, see A/HRC/26/6, paras. 143.180–143.181.
[87] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22852&LangID=E.
[88] United Nations country team submission, para. 29.
[89] CEDAW/C/VNM/CO/7-8, para. 9.
[90] United Nations country team submission, para. 51.
[91] CEDAW/C/VNM/CO/7-8, para. 29.
[92] Ibid., para. 35.
[93] E/C.12/VNM/CO/2-4, para. 17.
[94] Ibid., para. 18.
[95] Ibid.
[96] United Nations country team submission, para. 90.
[97] For relevant recommendations, see A/HRC/26/6, paras. 143.182–143.186.
[98] E/C.12/VNM/CO/2-4, para. 23.
[99] Ibid., para. 24.
[100] For relevant recommendations, see A/HRC/26/6, paras. 143.57, 143.187–143.190, 143.220–143.223 and 143.225.
[101] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22439&LangID=E.
[102] United Nations country team submission, para. 30.
[103] Ibid., para. 32.
[104] Ibid., para. 31.
[105] E/C.12/VNM/CO/2-4, para. 28.
[106] Ibid., para. 31.
[107] For relevant recommendations, see A/HRC/26/6, paras. 143.191–143.192.
[108] CEDAW/C/VNM/CO/7-8, paras. 32–33.
[109] United Nations country team submission, para. 59.
[110] CEDAW/C/VNM/CO/7-8, paras. 32–33. See also United Nations country team submission, para. 36.
[111] CEDAW/C/VNM/CO/7-8, paras. 32–33.
[112] E/C.12/VNM/CO/2-4, para. 22.
[113] For relevant recommendations, see A/HRC/26/6, paras. 143.58–143.65, 143.193–143.204 and 143.224.
[114] A/HRC/28/57/Add.1, para. 118.
[115] E/C.12/VNM/CO/2-4, para. 32.
[116] CEDAW/C/VNM/CO/7-8, para. 26.
[117] E/C.12/VNM/CO/2-4, para. 16.
[118] CEDAW/C/VNM/CO/7-8, para. 27.
[119] United Nations country team submission, para. 42.
[120] For relevant recommendations, see A/HRC/26/6, paras. 143.80–143.85, 143.87 and 143.119.
[121] United Nations country team submission, para. 47.
[122] CEDAW/C/VNM/CO/7-8, para. 18.
[123] Ibid., para. 21.
[124] Ibid., para. 19.
[125] CEDAW/C/VNM/CO/7-8/Add.1.

[126] Letter dated 5 September 2018 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of Viet Nam to the United Nations Office and other international organizations in Geneva. Available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/VNM/INT_CEDAW_FUL_VNM_32313_E.pdf.
[127] CEDAW/C/VNM/CO/7-8, para. 19.
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[130] Letter dated 5 September 2018 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of Viet Nam to the United Nations Office and other international organizations in Geneva. Available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/VNM/INT_CEDAW_FUL_VNM_32313_E.pdf.
[131] United Nations country team submission, para. 53.
[132] CEDAW/C/VNM/CO/7-8, para. 19.
[133] Ibid., para. 34.
[134] United Nations country team submission, para. 52.
[135] E/C.12/VNM/CO/2-4, para. 16.
[136] For relevant recommendations, see A/HRC/26/6, paras. 143.47–143.49, 143.54–143.56 and 143.120–143.121.
[137] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294476:NO.
[138] E/C.12/VNM/CO/2-4, para. 26.
[139] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294273:NO.
[140] E/C.12/VNM/CO/2-4, para. 27.
[141] For relevant recommendations, see A/HRC/26/6, paras. 143.205–143.206.
[142] United Nations country team submission, para. 65.
[143] Ibid., para. 67.
[144] Ibid., para. 69.
[145] E/C.12/VNM/CO/2-4, para. 15.
[146] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339514:NO.
[147] For relevant recommendations, see A/HRC/26/6, paras. 143.207–143.214.
[148] E/C.12/VNM/CO/2-4, para. 33.
[149] Ibid., para. 29.
[150] Ibid., para. 34.
[151] UNESCO submission, p. 6.
[152] United Nations country team submission, para. 73.
[153] For the relevant recommendation, see A/HRC/26/6, para. 143.215.
[154] E/C.12/VNM/CO/2-4, para. 19.
[155] CEDAW/C/VNM/CO/7-8, para. 30.
[156] Ibid., para. 31.
[157] E/C.12/VNM/CO/2-4, para. 14.
[158] CEDAW/C/VNM/CO/7-8, para. 39.
[159] UNHCR submission, pp. 2–4.
[160] CEDAW/C/VNM/CO/7-8, para. 39.

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Summary of Stakeholders' submissions on Viet Nam*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 77 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. JS15 recommended that Viet Nam ratify the two Optional Protocols to ICCPR, OP-CAT, OP-CEDAW, OP-ICESCR, OP-ICRPD, OP-CRC-IC, and withdraw reservations to ICERD and recognize the CAT competence following articles 20 and 30 of the Convention.[4] JS19[5] and JS14[6] recommended the ratification of ICRMW and of other optional protocols related to the complaint and communication procedure.

3. AI recommended ratifying and implementing the OP-CAT, by establishing an independent and well-resourced National Preventive Mechanisms in accordance with the Protocol.[7] AI recommended ratifying, without reservations, the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.[8]

4. JS4 recommended recognising the competence of CEDAW to receive individual complaints.[9]

5. JS9 recommended ratifying and implementing the ICRMW and ICPPED and optional protocols related to grievance and information on violations of rights under these conventions.[10]

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6. JS2 recommended that Viet Nam accede to the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure[11], and ratify the United Nations World Tourism Organization Framework Convention on Tourism Ethics.[12]

7. JS18 recommended that Viet Nam ratify the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the 1951 Convention relating the Status of Refugees and its 1967 Protocol.[13]

8. JS9[14], JS14[15] and HRW[16] recommended ensuring freedom of association of workers by soon ratifying the Convention on Freedom of Association and Protection of the Right to Organize, 1948 (ILO no. 87) and the Convention on the Right to Organize and Collective, 1949 (ILO no. 98). JS7 recommended ratifying ILO Convention no. 87.[17] JS14 also recommended that Viet Nam ratify the ILO Conventions on the Abolition of Forced Labour (no. 105), on Domestic Workers (no. 189).[18]

9. JS9 recommended inviting the Working Group on the UN Guiding Principles on Business and Human Rights to conduct a review of the electronics industry and that Viet Nam collaborate with the ILO on reporting on electronics industry workers' health information.[19]

10. UNESCO recommended ratifying the ILO Convention no.169 and implementing the United Nations Declaration on the Rights of Indigenous Peoples.[20]

11. JS1[21], JS14[22] and JS15[23] recommended issuing standing invitations to United Nations special procedures. AI[24] and FN[25] recommended that Viet Nam co-operate with the United Nations human rights mechanisms, in particular the Special Rapporteur on the situation of human rights defenders. JS4 recommended extending invitations to the Special rapporteur on the rights to freedom of association and peaceful assembly; Special rapporteur on violence against women, its causes and consequences; and the Working group on discrimination against women de jury and de facto.[26] JS13 invited the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity to visit Viet Nam.[27] FN recommended that Viet Nam invite the Special Rapporteur on freedom of expression and opinion, the Special Rapporteur on the freedom of peaceful assembly and association, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Working Group on Arbitrary Detention for country visits.[28] WEA recommended inviting the Special Rapporteur on Freedom of Religion or Belief for a follow-up visit.[29]

12. JS1 recommended that Viet Nam encourage non-state actors to engage with treaty bodies, the UPR and special procedures, and that it seek technical cooperation from the Office of the High Commissioner for Human Rights.[30] AI made a similar recommendation.[31]

13. ICAN noted with appreciation that Viet Nam ratified the Treaty on the Prohibition of Nuclear Weapons on 17 May 2018.[32]

B. National human rights framework[33]

14. JS15 stressed that there was no independent national human rights institution in Viet Nam, despite commitments with different United Nations human rights mechanisms and recommendations.[34] JS15[35] and JS4[36] recommended establishing an independent national human rights institution following the Paris Principles.

15. JS15 also recommended that Viet Nam adopt a comprehensive national action plan on the implementation of human rights commitments, including UPR, treaty bodies and special procedures' recommendations.[37]

16. Noting that Viet Nam Constitution provided scope to live in peace in dignified way to the Vietnamese people, ISCUF stated that shortcomings still remained.[38] JS15 referred to the absence of a Constitutional Court in Viet Nam.[39] VNAPC noted that although the Constitution protect the fundamental rights of Vietnamese citizens, the Government attacked all rights exercised contrary to its interests.[40] VNAPC recommended establishing

an independent, permanent human rights monitoring body; and amending the Constitution to allow a multi-party political system.[41]

17. VBF stated that the Constitution promoted the building of a socialist rule-of-law state in which human rights were recognized, protected and guaranteed.[42]

18. JS12 recommended reviewing the Constitution to ensure it conforms to Vietnam's obligations under the ICCPR, ICESCR, and other key international human rights standards.[43]

19. JS10 stated that Vietnam's National Assembly passed the Law on Belief and Religion in November 2016, which on the one hand it expanded the space for registered religious organizations to operate in, and on the other hand, it placed greater restrictions on non-registered, independent religions.[44] WEA recommended allowing all unregistered religious groups to freely exercise their freedom of religion or belief.[45] JS7[46] and WEA[47] recommended revising the Law on Belief and Religion, particularly Articles 43 and 45 according to WEA,[48] to ensure its compliance with relevant international standards. UNPO made a similar recommendation.[49]

20. JS9 recommended developing and implementing by 2019 a national standard for labour contracts taking into account ILO standards.[50] JS7 recommended revising existing labour laws to recognise the right to freedom of association, and guarantee the independent functioning of autonomous trade unions.[51]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[52]

21. JS5 recommended adopting a law on anti-discrimination in accordance with Article 1 of CEDAW and Article 2 of the ICCPR, ICESCR, CERD, CRC and CRPD; revising all discriminatory laws and regulations to comply with international human rights standards;[53] and providing accessible complaint mechanism for victims of gender discrimination and their representatives.[54] JS15 made a similar recommendation.[55] JS14 recommended implementing the accepted recommendation 143.86 regarding the elimination of discrimination against vulnerable groups.[56]

22. JS3 noted positive steps taken on LGBTI persons' rights,[57] but legal and policy reforms were still needed.[58] iSEE[59] and JS15[60] noted that the LBGTI community faced low recognition, discrimination, and difficulties in mobilization of resources. HIV stigma and discrimination existed in workplace and media.[61] iSEE[62] and JS3[63] recommended that Viet Nam pass laws against discrimination of sexual orientation and gender identity. JS6 recommended that Viet Nam adopt laws that recognize and realize the rights of transgender/transsexual people and legalize sex work.[64]

23. JS16 said that people who used drugs or were involved in the drug market endured stigmatisation, marginalisation and prosecution.[65]

24. VAE2019 noted that in August 2016, the Prime Minister adopted the project on expansion of the Intergenerational Self-help Club, for 2016-2020, to implement the National Plan of Action on serving older persons.[66]

Development, the environment, and business and human rights[67]

25. NNIA indicated that the war left a legacy of chemical and other warfare that continued to affect the Vietnamese people today. Agent Orange has affected from 3 to 4.8 million of Vietnamese and contaminated part of the territory.[68] AIPF noted that Vietnam was among the top 20 most polluted countries on earth, impacting children's health and future chances in life.[69]

26. AI stated that social and environmental activists, campaigning in the aftermath of the 2016 environmental disaster, were particularly targeted and recommended ensuring prompt and impartial investigations into reports of excessive use of force by the police in this regard.[70] JS19 stated that human rights impact assessment should be a mandatory step in the evaluation for all international trade and investment agreements.[71]

27. CECR mentioned that the message of water pollution control had been conveyed through national press and television.[72] WARECOD stated that despite Vietnam had created an open environment for receiving and responding to citizens' information, the consultation process on development projects did not adequately reflect the opinion of affected communities.[73]

28. AAPSO indicated that continuous legal reform was being made to liberalise the business environment, improve growth, productivity and competitiveness.[74]

2. Civil and political rights

Right to life, liberty and security of person[75]

29. Reprieve expressed great concern that although Viet Nam removed the death penalty for some offences, death penalty still applied to offences including freedom of expression, the right to peaceful assembly and other internationally recognised rights.[76]

30. AI stated that figures on the use of the death penalty continued to be classified as a state secret,[77] and recommended to abolish the death penalty for all crimes.[78] JS15 stated that the application of the capital punishment remained non-transparent and that executions were conducted with no representation of civilian witness.[79] Various stakeholders recommended that Viet Nam impose a moratorium on executions with the goal of abolishing the death penalty.[80] JS15 recommended that Viet Nam further reduce the number of crimes subject to the death penalty, especially those non-violent and political crimes.[81] JS16 recommended removing drug-related offences from the list of crimes punishable by death.[82]

31. VN-CAT[83] and VPAFW[84] expressed concern for the number of deaths in police custody. WEA recommended appointing an independent commission to investigate suspected cases of torture, degrading treatments and deaths in police custody and detention.[85]

32. FLD reported that once convicted and sentenced, human rights defenders were subject to harsh conditions in prison, including verbal abuse, harassment and threats. Requests to transfer cells are ignored.[86] TSC made a similar comment.[87] AI[88], BPSOS[89], CSW[90], HRW[91], FN[92] and JS12[93] recommended that Viet Nam immediately and unconditionally release all prisoners of conscience and human rights defenders, bloggers, journalists, religious and political dissidents and those detained or imprisoned simply for exercising their right to peaceful assembly.

33. AI recommended ending the practice of prolonged solitary confinement and ensuring that all disciplinary measures conform to international law and standards, including the Nelson Mandela Rules; ending the practice of incommunicado detention; ending the practice of punitive transfers of all detainees and prisoners and ensure that prisoners are allocated, to the extent possible, to prisons close to their homes.[94] BPSOS[95] and VN-CAT[96] made similar statements. JS16 reported that the prison population was critically underserved.[97] JS17 was concerned about the poor living conditions of death row inmates, and the lack of independent observation.[98] JS12 recommended that Viet Nam conform to the UN Standard Minimum Rules on the Treatment of Prisoners, abolish forced labor and end practices of torture and ill-treatment of prisoners.[99] UNPO[100] and JS8[101] made similar recommendations.

34. JS16 referred to credible reports of inhuman and degrading treatment, physical abuse, and forced labour in treatment, education and social labour centres[102] where "drug addicts" individuals, including children, are forcibly detained for up to two years.[103]

Administration of justice, including impunity, and the rule of law[104]

35. VPDF noted that a variety of laws had been adopted by the National Assembly (2015 Penal Code, 2015 Code of Criminal Procedure, 2015 Civil Code, 2015 Code of Civil Procedure, Press Law, 2016 Law on Access to Information, 2015 Law on Referendum, Law on Belief and Religion, etc), in consultation with the civil society.[105] JS15 recommended amending the Law on Organization of People's Court to guarantee the independence of the judicial system.[106] JS20 recommended that Viet Nam guarantee the full independence and safety of lawyers and their effective protection against any form of retaliation.[107]

36. HRW recommended allowing all people detained to have immediate access to legal counsel upon being arrested;[108] and establishing an independent police complaints commission to accept complaints from the public and to provide oversight over the professional responsibility unit of the police.[109]

37. VN-CAT stated that while the legal framework guaranteed protection against violence, torture, inhuman or degrading treatment, cover-up and impunity were prevalent at all levels of the Government.[110] BPSOS[111] and VN-CAT[112] recommended investigating and prosecuting all perpetrators of torture, and other cruel, inhuman or degrading treatment or punishment.

38. VPDF noted that the law on temporary detention and custody provided for the rights of detainees, including meetings with relatives and lawyers, access information, complain and denounce any violation of any regulation on temporary detention. No punishment that violates the rights of detainees were allowed. Detainees were fully covered with health and medical care and vocational guidance.[113] JS17 recommended that Viet Nam further undergo reforms regarding the code of criminal procedures to ensure it follows the international standards.[114]

39. IELM noted that the level of public legal education remained low in Viet Nam, and recommended that Viet Nam strengthen legal awareness using mass media.[115]

40. RTCCD stated that widespread and deep-rooted corruption existed in Viet Nam. The corruption lead to business enterprises' intervention in public life and hindered the administrative legal system action.[116]

41. UNJC indicated that the Judicial Reform Strategy until 2020, together with legislative reforms in procedural matters, guaranteed a broader protection through, inter alia, such measures as the principle of judicial independence; the respect of the right to defense; the establishment of a broad set of remedies against judicial resolutions; the obligation of the judges to strictly assess the evidence presented at trial and obtained by lawful means.[117]

Fundamental freedoms and the right to participate in public and political life[118]

42. JS11 stated that Vietnamese government needed to make substantial changes to its current legal system to protect citizens' privacy and their freedom of thought and expression.[119] JS11 recommended amending the 2015 Criminal Procedures Code to grant the People's Courts system the power of approving and/or rejecting all kinds of surveillance orders.[120] According to JS20, articles 109 and 117 of the Penal Code were frequently invoked to imprison lawyers, bloggers and human rights defenders for the peaceful exercise of their right to free expression.[121] HRW recommended repealing articles 109, 116, 117, 118 and 331 of the Penal Code and bring it in conformity with the International Covenant on Civil and Political Rights.[122]

43. VNAPC stated that there was complete censorship and control over the flow of information. Furthermore, the Vietnamese military created a special unit to fight views published online that are against dominant political party's interests,[123] which, according to JS7, maintained its control over all public affairs and prohibited the establishment or operation of independent political parties, labour unions and CSOs.[124] JS8[125] and FLD[126] recommended releasing all journalists, bloggers, human rights defenders, and religious and social activists immediately and unconditionally, as well as conducting independent investigations into the harassment of activists.

44. AN[127], HRW[128] and VNAPC[129] noted that the Government continued to arrest and jail human rights bloggers and activists. Over 20 people were sentenced to prison for at least 9 years as they posted views that defamed the Government of Viet Nam on the internet.[130] JS8 was concerned that that since 2014, there were severe restrictions on freedoms of expression and information and a crackdown on journalists, bloggers and human rights defenders over the past years.[131] JS8 also stated that an amended Press Law was passed in 2016,[132] maintaining the State's authority over the press,[133] and preventing journalists from reporting on politically sensitive issues and publishing views critical of the State.[134]

45. WPC stated that Viet Nam's press and media have become a forum for exchanges regarding the supervision of the State's activities, thus contributing to the fight against corruption and wrongdoings in Viet Nam.[135]

46. JS15 stated that the revised Press Law did not explicitly recognise private-owned press.[136] JS15,[137] JS7[138] and HRW[139] recommended adopting legislation authorising the publication of independent, privately run newspapers and magazines, and ensuring that journalists and bloggers may work freely and without fear of criminalisation and threats for expressing critical opinions or covering sensitive subjects.[140]

47. JS11 indicated that in June 2018 mass demonstrations broke out in major cities across Vietnam to protest against the draft Cybersecurity Law and the draft Special Economic Zones Law. Hundreds of demonstrators were arrested.[141] JS19 stated that the adoption of a cybersecurity law was an attempt by the Government to further tighten control of the internet and global tech companies, and a further crackdown on dissent.[142] TSC stated that Government took control over free speech, partly using the cybersecurity law, which forced companies to hand over users' personal information online.[143] AN recommended that on-line contents not be removed until it was adjudicated as being illegal, in line with international standards.[144] JS11 recommended removing provisions in the Cybersecurity Law that prohibit "to distort history, deny revolutionary achievements, [or] undermine national solidarity".[145] HRW,[146] JS15[147], FN[148] and FLD[149] made a similar recommendation.

48 Red Communication recommended creating mechanisms to improve access to information by the public.[150]

49. ADF International[151], BPSOS[152], JS12[153], JS7[154] and CSW[155] stated that there was a government control over religious activities in Vietnam as the Government enacted the new Law on Belief, which subjected religious activities to tighter control. In 2017, hundreds of Christians and Buddhists suffered from persecution by state agents. The victims had their personal items/homes destroyed, property seized and were subjected to severe violence, sham trials, and death. CSW recommended that Vietnam ensure that torture and ill-treatment cease immediately, and that no citizen be detained incommunicado.[156] ADF International recommended that Viet Nam remove burdensome registration requirements, punish all religiously motivated violence and remove prohibitions on religious communities.[157] BPSOS[158] and CSW[159] recommended that registration of religious organizations be optional, instead of required, so as to eliminate obstacles and restrictions to the right to freedom of religion or belief.

50. CSVC stated that the majority of Vietnamese Catholics had confidence on the people's administration and expected that their needs would be taken care of in accordance with the laws.[160] JS10 stated that local and provincial governments have used violence against Hmong Christians who refused to renounce their faith[161] and recommended investigating all reported incidents of forced renunciation of faith and prosecute responsible officials.[162] JS10 also stated that the Government, using economic development as pretext, has targeted Buddhist temples not submitted to government control.[163] VN-CAT indicated that radical groups gathered in large number and attacked Catholic priests and parishioners while local police remained idle.[164] WEA recommended promoting a spirit of respect and tolerance, stopping State and media propaganda against religious minorities and unrecognized religious groups.[165]

51. JS7 stated that, out of 37 recommendations relating to civil society space made at the second cycle, the Government has partially implemented six recommendations and not

implemented the remaining 31. Implementation gaps were found regarding the rights to the freedoms of association, peaceful assembly and expression and the protection of human rights defenders and bloggers.[166] JS15 made a similar statement.[167] VNAPC noted that the free exercise of the right to peaceful assembly faced security force's harassment, beating, and arbitrary arrest.[168] FLD reported that human rights defenders gathering outside courthouses during trials of other defenders were subject to mass-arrest, arbitrary detention and police violence.[169] JS15 recommended that in adopting the Law on Associations, Viet Nam took into account recommendations from treaty bodies, the Special Rapporteur on Freedom of Association and Assembly, and the UPR.[170] JS15 further recommended investigating allegations on the excessive use of force in managing demonstrations and protests.[171]

52. JS5 recommended amending the conditions and criteria for candidates of the National Assembly and People's Council delegates to ensure the right to stand for election.[172] JS15 recommended that Viet Nam initiate a legal reform to ensure free and fair election.[173]

Prohibition of all forms of slavery[174]

53. CSDM noted that the large majority of women victims of trafficking were ethnic minorities' women, who were widely marginalized.[175]

Right to privacy and family life[176]

54. AN stated that in 2015, Government passed the Law on Network Information Security to ensure that the collection of personal information required the consent of the individual.[177] AN recommended that the Government do not force or request online platforms to undertake actions regarding user data disclosure or other surveillance measures.[178]

55. JS18 noted that marginalised and disadvantaged groups experienced barriers in accessing birth registration.[179] and recommended that Viet Nam ensure universal birth registration.[180]

56. A number of stakeholders noted that the Government did not formally recognise same-sex marriages, and same-sex couples were not afforded the legal protections enjoyed by heterosexual married couples.[181] and recommended that Viet Nam explicitly legalise same-sex marriage in the Law on Marriage and Family.[182]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[183]

57. JS14 noted that two thirds of the total workforce in Viet Nam was working in the informal sector and were not protected by labour laws. It recommended that the revised Labour Code include informal workers.[184]

58. JS14 said that despite progress made, the current minimum wage still lacked minimum living needs. It recommended that the minimum wages ensured the basic living needs of employees and their families and that Viet Nam implemented the accepted recommendation 143.189 on mitigating income inequalities.[185]

59. JS15 said that the right of workers to freely form and join trade union was not recognised properly in the Constitution 2013 and in the Law on Trade Union,[186] and recommended that employees were allowed to freely form or join independent trade union of their choice.[187]

60. MDRI noted a lack of skilled workers. Employees in urban areas faced difficulties obtaining vocational training and employment protection.[188]

Right to an adequate standard of living[189]

61. VGCL stated that the first and foremost right of Vietnamese citizens and working people was the right to improved living conditions and safe working conditions.[190]

AIPSO[191], VPC[192] and AAPSO[193] indicated that the Vietnamese Government has initiated many other programs regarding poverty reduction, food security and public health with the aim at ensuring social justice. CCDS[194] and CPAPD[195] noted that Vietnam has made remarkable progress in building its economy, reducing poverty, and raising the standard of living. FMC stated that the economic growth has shown a 6 percent rise as an annual average, a process in which women made large contributions.[196]

62. JS19 urged the Government to continue its effort regarding accepted recommendations of the previous cycle, namely recommendation 143.215: combat poverty among migrant workers.[197]

63. VAE2019 indicated that nearly 2.5 million elders have been participating in production generating income, especially farms production and service facilities.[198]

Right to health[199]

64. VAVA indicated that the Remedy Program of toxic chemical – agent orange and dioxin - in Viet Nam aimed to restore the living environment for the people; provide healthcare for the victims and prioritize improving living condition for the victims and their families.[200] VNRC made a similar statement.[201] VAVA noted that the Government played a major role in organizing community healthcare for the victims of toxic chemicals through funding healthcare projects and providing 100% health insurance.[202]

65. JS4 recommended providing safe and efficient maternal health services based on the traditions and custom, cultural values and diverse needs of ethnic minority communities.[203]

66. JS16 informed about steps undertaken towards embracing a health-based approach to drug use.[204] It recommended that Viet Nam provide harm reduction services across the country, including in detention settings and in the most remote areas.[205]

67. SCDI noted that although Vietnamese government made a breakthrough in reducing health insurance cost, health care was still very challenging to get, especially for people who are affected by HIV, tuberculosis and malaria.[206] iSEE stated that Viet Nam aimed to end AIDS by 2030 and will provide free HIV treatment from January 2019.[207]

Right to education[208]

68. JS1 indicated that Viet Nam accomplished the universality of primary and secondary education and improved educational infrastructures.[209] VPC stated that in 2016, the literacy rate of people aged 15-35 years and 15-60 years nationwide was 98.69 percent and 97.73 percent, respectively.[210]

69. JS15 recommended that Viet Nam ensure elementary and secondary education free of charge, ensure quality of education, expand mother-tongue and bi-lingual education programs for ethnic minorities.[211] JS18 recommended that all children have access to education, irrespective of their documentation status.[212]

70. CSHRS[213] and WPC[214] indicated that Vietnam strengthened human rights education and dissemination. CHD noted that human rights projects needed more financial support from the Government, and governmental agencies lacked knowledge on human rights.[215]

4. Rights of specific persons or groups

Women[216]

71. CWDF[217], SRD,[218] CPAPD[219] and AIPSO[220] stated that Viet Nam has made some remarkable achievements in gender equality, and women play important roles in the society. CCDS stated that 28% of the members of the Vietnam parliament are women.[221] A similar figure was given by VPC.[222] CSHRS noted that despite Viet Nam legally elaborated gender equality through government agendas, it had difficulties in ensuring gender equality.[223] JS4 recommended revising all gender discriminatory laws and regulations to comply with international human rights standards.[224] JS1 noted the National Strategy on Gender Equality (2011-2020).[225]

72. CWDF[226] and VWU[227] noted that women still face occupational segregation, gender pay gap and male preference. CWDF further illustrated that rural women's income and social security level were low. CWDF recommended that Viet Nam continue to narrow gender pay gap, raise women's income and help women have equal rights with other citizens.[228] JS14 recommended that the revised Labour Code ensure substantial gender equality.[229] JS5[230], JS14[231] and JS4[232] recommended including a specific definition on "sexual harassment" and sanctions against sexual harassment at workplace.

73. SRD recommended that Vietnamese government continue to facilitate projects on gender equality; empower the Women's Union; and create more opportunities for local NGOs to raise their voice.[233]

74. VWU noted that rural women, ethnic minority women and disadvantaged women have limited access to information technology, education, healthcare services, and vocational training.[234]

75. JS6 stated that though Vietnam has laws on domestic violence and other forms of violence including rape and sexual assaults, these laws seem not be very effective as the conviction rate is very low.[235] VWU made a similar statement.[236] JS6 recommended improving the effectiveness and friendliness of the justice system and supporting services on gender-based violence, and making sure that the number of shelter meets the needs of victims of violence.[237]

76. FMC noted that the Government has worked in compliance with the implementation of the Beijing Declaration and Platform for Action and with goals related to the Agenda 2030 for Sustainable Development, enabling Vietnamese women to participate in the development of the nation.[238]

Children[239]

77. JS2 indicated that Viet Nam enacted a new Criminal Code in January 2018, which strengthened child protection by criminalising a broader array of conducts related to sexual exploitation of children, and introducing more severe penalties for child marriage and trafficking.[240] JS2 recommended taking legislative measures to raise the legal age of a child to 18, in compliance with the CRC, and amend all the relevant provisions, notably in the new Criminal Code, to protect all children under the age of 18 from sexual exploitation and trafficking.[241] JS19 urged the Government to double its efforts regarding accepted recommendations of the previous UPR cycle on child trafficking.[242]

78. RTCCD noted that children in Viet Nam faced abuses, including sexual abuses.[243] JS2 recommended continuing to develop recovery and reintegration programmes for child victims of sexual exploitation and guarantee them access to compensation.[244] VACR recommended disseminating and promoting legislation on children; and amending provisions related to child sexual abuse.[245]

79. CSDS noted that Viet Nam has made achievements relating to youth participation in politics. In 2016, the Ministry of Planning and Investment invited several youth leaders to express their voices about new policies on internet.[246] CPAPD noted that in June 2018, Viet Nam launched the first council of children.[247] JS1 noted the Program for the Promotion of children's right to participate in matters related to Childhood 2016-2020 plan.[248]

80. VACR noted that while the wellbeing of children has been improving, yet there were challenges in implementing children's rights regarding access to quality education and medical services in rural areas.

81. GIEACPC noted that the Child Law 2016 did not send a clear message that all corporal punishment, however light, was prohibited. Although corporal punishment in Viet Nam was prohibited in schools and in the penal system, there was no explicit prohibition of corporal punishment in the home, and in alternative and day care settings.[249]

Persons with disabilities[250]

82. Viethealth[251] and DRD[252] noted that in 2015 the Prime Minister established the National Committee for Disability and approved the plan of implementation of the

Convention on the Rights of Persons with Disability in 2016. Viethealth recommended increasing the budget for policies related to the rights of persons with disabilities, especially at local level.[253]

83. ASVDO recommended promoting communication, education and capacity building on law enforcement for the rights of person with disabilities and children's rights; preventing child abuse, discrimination and stigmatization of persons with disabilities; strengthening support to organizations working in this field and increasing investment resources for children.[254]

Minorities and indigenous peoples[255]

84. JS18 stressed that ethnic and religious minorities faced significant discrimination.[256] CSDM noted that there were increasing gaps in economic and social development between ethnic minorities and other populations. Poverty incidence in minorities was higher.[257] CSDM also indicated that all ethnic minorities had Vietnamese citizenship, and Vietnam's Constitution recognized that all people have equal rights. A ministry-level agency, the Committee on Ethnic Minority Affairs, was in charge of ethnic minority affairs.[258]

85. VPDF indicated that the Government has been focusing on narrowing down the socio-economic gaps among ethnic communities by issuing plans and policies, with achievement in the reduction of poverty, education, information access and health national standards.[259] TSC recommended taking measures to narrow the economic inequality and to improve the living standards in minority regions.[260]

86. TSC noted that Viet Nam government has not yet recognized Tai as indigenous people. Tai group had no voice in the governance: the Government exploited Tai people's lands and resources with little compensation. TSC recommended that Viet Nam give Tai people the right to self-determination; allow minority communities to be involved in decision-making processes and create effective mechanisms to compensate for loss of lands and livelihood.[261]

87 KKF[262] and UNPO[263] stated that Viet Nam Government denied the Khmer-Krom people's identity as indigenous peoples, through control of religious activities, education, local economy, and access to health system. KKF recommended that Viet Nam recognize Khmer-Krom as indigenous peoples; allow public schools to teach Khmer-Krom culture and language; allow Khmer-Krom to conduct religious activities; and provide free and fair healthcare system to Khmer-Krom patients.[264]

88. JS18 recommended that Viet Nam guarantee human rights without discrimination, particularly to ethnic and religious minorities such as the H'Mong and Montagnard communities.[265]

89. VPC noted that 86 deputies (17.3 percent) to the 14th National Assembly (2016-2021) belonged to ethnic minorities.[266]

90. VFU recommended that the Government intensify the training and fostering of knowledge on public relations and people mobilization for officials working on ethnic and religious affairs.[267]

Migrants, refugees, asylum seekers and internally displaced persons[268]

91 JS18 recommended that Viet Nam develop civil documentation and registration campaigns that support people to acquire and confirm citizenship, namely populations residing in border areas and in remote locations.[269]

92. JS18 referred to the restrictive residential registration system, which determined access to social services, land and utilities.[270] It recommended that Viet Nam reform the residential registration system.[271] JS14 recommended eliminating discrimination in access to public services for migrant workers.[272]

93. JS9 indicated that in 2017 there were 134,000 Vietnamese overseas migrant workers including about 40% female. Most migrant women worked as foreign domestic workers.[273]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AAPSO	Afro Asian People's Solidarity Organization (El Cairo, Egypt);
ADF International	Alliance Defending Freedom International, (Vienna, Austria);
AI	Amnesty International, London (United Kingdom);
AIPF	AIP Foundation, (Hanoi, Vietnam);
AIPSO	All India's People Solidarity Organization (New Delhi, India)
AN	Access Now, (New York, United States);
ASVDO	Association in Support of Vietnamese Disability and Orphans (Hanoi, Viet Nam);
BPSOS	Boat People SOS (Falls Church, Virginia, the United States of America) ;
CCDS	Committees of Correspondence for Democracy and Socialism, (San Francisco, the United States of America);
CECR	Center for Environment and Community Research (Hanoi, Viet Nam)
CHD	Center for health Consultation and Community Development, (HCM City, Vietnam);
CPAPD	Chinese People's Association for Peace and Disarmament,
CSDM	The Center for Sustainable Development in Mountainous Areas, (Hanoi, Vietnam);
CSDS	Center for Sustainable Development Studies, (Hanoi, Vietnam);
CSHRS	China Society for Human Rights Studies, (Beijing, China);
CSVC	The Committee for Solidarity of Vietnamese Catholics, (Hanoi, Vietnam);
CSW	Christian Solidarity Worldwide, (New Malden, United Kingdom);
CWDF	All-China Women's Federation, (Beijing, China);
DDR	Disability Research and Capacity Development Centre (Ho Chi Minh, Viet Nam);
FLD	Front Line Defender (Dublin, Ireland);
FMC	Federacion de Mujeres Cubanas, Havana (Cuba);
FN	Freedom Now (Washington DC, the United States of America);
GIEACPC	Global Initiative to end All Corporal Punishment of Children (London, United Kingdom);
HRW	Human Rights Watch (Geneva, Switzerland);
ICAN	International Campaign to Abolish Nuclear Weapons;
IELM	Institute of Economics, Law and Management, (Hanoi, Viet Nam);
ISCUF	Indian Society For Cultural Cooperation & Friendship, (New Delhi, India);
iSEE	Institute for Studies of Society, Economy and Environment, (Hanoi, Viet Nam);
KKF	Khmers Kampuchea-Krom Federation, (Pennsauken, United States);
LIV	Legal Initiatives for Viet Nam, (Taipei City, Republic of China);
MDRI	Mekong Development Research Institute (Hanoi, Viet Nam);
NNIA	National Network of Indochina Activists (New York, the United States of America);
RED	Communication Research on Development Communication, (Hanoi, Viet Nam);
REPRIEVE	Reprieve, (London, United Kingdom);
RTCCD	Research and Training Center for Community Development, (Hanoi, Viet Nam);
SCDI	Center for Supporting Community Development Initiatives, (Hanoi, Viet Nam);

SRD	Sustainable Rural Development, (Hanoi, Viet Nam);
TSC	Tai Studies Center, (Des Moines, the United States of America);
UNPO	Unrepresented Nations & Peoples Organization, (The Hague, The Netherlands)
UNJC	National Union of Jurists of Cuba, (Havana, Cuba)
VACR	Vietnam Association for Protection of Child's Rights (Hanoi, Viet Nam);
VAE2019	Hoinguoicaotuoi, (Hanoi, Viet Nam);
VAVA	Hoi Nan nhan chat doc da cam/Dioxin Viet Nam, (Hanoi, Viet Nam);
VAPC	Vietnamese Abroad PEN Centre (Toronto, Canada);
VBF	Viet Nam Bar Federation (Hanoi, Viet Nam);
VFU	Viet Nam Farmers' Union (Hanoi, Viet Nam);
VGCL	Viet Nam General Confederation of Labour (Hanoi, Viet Nam);
VIETHEALTH	Sustainable Health Development Center (Hanoi, Viet Nam);
VN-CAT	Viet Nam Coalition Against Torture (Sugar Hill, the United States of America);
VNCR	Viet Nam Red Cross Society (Hanoi, Viet Nam);
VPAFW	Viet Nam for Progress (Town of Mount Royal, Quebec, Canada);
VPDF	Viet Nam Peace and Development Foundation (Hanoi, Viet Nam);
VPC	Viet Nam Peace Committee (Hanoi, Viet Nam);
VWU	Viet Nam Women Union (Hanoi, Viet Nam);
WEA	World Evangelical Alliance, (Geneva, Switzerland);
WARECOD	Water Resources Conservation and Development (Hanoi, Viet Nam);
WPC	World Peace Council (Athens, Greece).

Joint submissions:

JS1	**Joint submission 1 submitted by**: Asociacion Cubana de las Naciones Unidas, La Habana, (Cuba);
JS2	**Joint submission 2 submitted by**: ECPAT International and Vietnam Association for Protection of Child's Rights, Bangkok, (Thailand);
JS3	**Joint submission 3 submitted by**: Kaleidoscope Australia Human Rights Foundation, Institute for Studies of Society, Economics and the Environment, Clayton Victoria (Australia);
JS4	**Joint submission 4 submitted by**: Center for Education Promotion and Empowerment of Women, Inclusive Development action, Research center for Gender, Family and Environment in Development, Women Who Make a Difference Hanoi, (Viet Nam);
JS5	**Joint submission 5 submitted by**: Center for Education Promotion and Empowerment of Women (CEPEW), IDEA - Inclusive Development action (IDEA), LEA - LGBTQ Education Activists, Research center for Gender, Family and Environment in Development (CGFED), Hanoi, (Viet Nam);
JS6	**Joint submission 6 submitted by**: Gender-based Violence Prevention Network Vietnam, Hanoi (Viet Nam);
JS7	**Joint submission 7 submitted by**: CIVICUS: World Alliance for Citizen Participation, VOICE: Voice Vietnam Civil Society Forum Human Rights Foundation, Johannesburg (South Africa);
JS8	**Joint submission 8 submitted by**: Vietnam UPR 2019 Working Group, Sacramento (The United States of America);
JS9	**Joint submission 9 submitted by**: Coalition of NGOs for UPR-Country Vietnam: The Research Centre for Gender, Family and Environment in Development (CGFED), The International POPs Elimination Network (IPEN), Supporters

	for the Health and Rights of Workers in the Semiconductor Industry (SHARPS), Korea Trans-National Corporation Watch (KTNC Watch), Hanoi, (Viet Nam);
JS10	**Joint submission 10 submitted by**: Boat People SOS, Inc., Falls Church, VA, (The United States of America);
JS11	**Joint submission 11 submitted by**: Coalition to Abolish Modern-day Slavery in Asia, Independent Journalist Association of Vietnam (IJAVN) and Boat People SOS (BPSOS), Falls Church, VA, (The United States of America);
JS12	**Joint submission 12 submitted by**: International Federation of Human Rights, Vietnam Committee on Human Rights, Paris (France);
JS13	**Joint submission 13 submitted by**: Next GEN, Hanoi, (Viet Nam);
JS14	**Joint submission 14 submitted by**: Mnet and its partners: Institute for Development and Community Health (LIGHT); Center for Development and Integration (CDI); Research Center for Gender-Family and Community Development (GFCD); Institute for Research on Policy, Law and Development (PLD) Vietnam Justice Support Association for the Poor (VIJUSAP); Social Work and Community Development Research Centre (SDRC); Center for family support and community development (CFSCD). Other NGO partners include Research Centre for Gender, Family and Environment in Development (CGFED) and Human Rights Space (HRS), Dich Vong Hau, (Viet Nam);
JS15	**Joint submission 15 submitted by**: Human Rights Space, The Cooperation Group for Governance and Public Administration Reform, Hanoi, (Viet Nam);
JS16	**Joint submission 16 submitted by**: Harm Reduction International, London (the United Kingdom of Great Britain and Northern Ireland);
JS17	**Joint submission 17 submitted by**: Legal Initiatives for Vietnam, ACAT France, Davis, (The United States of America);
JS18	**Joint submission 18 submitted by**: Boat People SOS Statelessness Network Asia Pacific Institute on Statelessness and Inclusion, Eindhoven (The Netherlands);
JS19	**Joint submission 19 submitted by**: Covenants Watch, Environmental Jurists Association, Taiwan Association for Human Rights, Vietnamese Migrant Workers and Brides Office, Taipei (China);
JS20	**Joint submission 20 submitted by**: Lawyers for Lawyers (L4L) Lawyers' Rights Watch Canada, Amsterdam (The Netherlands);

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;

OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations see A/HRC/26/6/Add.1, paras. 143.1-143.30.
[4] JS15, para. 1. See also JS8, para. 34, JS15, para. 8 and JS17, para. 47.
[5] JS19, para 7.
[6] JS14, para. 2(b).
[7] AI, page 5.
[8] AI, page 7.
[9] JS4, para. 31.
[10] JS9, page 1.
[11] A/HRC/26/6, Recommandation 143.16
[12] JS2, page 5.
[13] JS18, para. 31.10. See also JS18, paras. 10 and 4.
[14] JS9, page 7.
[15] JS14, para. 2(b). See also JS14, paras. 11(a), 14(d), 15(a) and 19(a).
[16] HRW, page 3.
[17] JS7, para 6.1.
[18] JS14, para. 2(b). See also JS14, paras. 11(a), 14(d), 15(a) and 19(a).
[19] JS9, page 6.
[20] UNPO, page 9.
[21] JS12, para 61.
[22] JS14, para. 3.
[23] JS15, para. 2.
[24] AI, page 5.
[25] FLD para 21.
[26] JS4, para. 31.
[27] JS13, p. 13.
[28] FLD para 21.
[29] WEA, para.14.
[30] JS15, para. 2.
[31] AI, page 5.
[32] ICAN p.1.
[33] For relevant recommendations see A/HRC/26/6/Add.1, paras. 143.31-143.46, 143.51-143.53, 143.66-143.76, 143.78-143.79, 143.173 and 174.
[34] A/HRC/26/6, paras. 143.36, 143. 37, 143. 38 and 143.39.
[35] JS15, para. 3. See also JS15, para. 1.
[36] JS4, para. 31.
[37] JS15, para. 4.
[38] ISCUF, pp. 1 –3.
[39] JS15, para. 1.
[40] VNAPC, pp. 2 – 5.
[41] VNAPC, pp. 7 – 8.
[42] VBF, para 4.
[43] JS12, para 54.
[44] JS10, para.3-5.
[45] WEA, para 20.
[46] JS7, para 6.1.
[47] WEA, paras.10 and 19.
[48] WEA, para 8.
[49] UNPO, page 9.
[50] JS9, page 3.
[51] JS7, para 6.1.

[52] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.86, 143.88.
[53] JS5, page 1.
[54] JS5, page 1.
[55] JS15, para. 6. See also JS15, para. 27.
[56] JS14, para. 4(a). See also A/HRC/26/6, para. 143.86.
[57] JS3, para. 1.2.
[58] JS3, para. 1.3.
[59] iSEE, pp. 1 – 3.
[60] JS15, para. 27. See also JS3, para. 3.1.
[61] iSEE, paras. 23 – 25.
[62] iSEE, para. 22.
[63] JS3, p. 4 and para. 4.1(a). See also JS13, p. 4 and JS15, para. 27.
[64] JS6, para 4.2.
[65] JS16, para. 2. See also JS16, para. 27.
[66] VAE2019, page 3.
[67] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.77, 143.216-143.218, 143.226 and 227.
[68] National Network of Indo China Activists para 24
[69] AIP, p. 2.
[70] AI, pages 3 and 5.
[71] JS19, para.22.
[72] CECR, p. 2.
[73] WARECOD, paras 1 and 3
[74] AAPSO, page 1
[75] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.89-143.118, 143.136 and 137
[76] REPRIEVE, pp. 2 – 6.
[77] AI, page 4, see also JS16, para. 8.
[78] AI, page 6.
[79] JS15, para. 8. See also JS17, para. 11.
[80] JS17, paras. 4 and 22 and JS16, p. 5, para. a). See also JS17, para. 47 and JS15, para. 8; AI, pages 6 and 7; JS12, para.62.
[81] JS15, para. 8. See also JS17, para. 47.
[82] JS16, p. 5, para. a). See also JS17, para. 47.
[83] VN-CAT, page 2.
[84] VPAFW, page 1.
[85] WEA, para.25.
[86] FLD, para 16.
[87] TSC, page 1.
[88] AI, pages 5 and 6.
[89] BPSOS, para 34.
[90] CSW, para 31.
[91] HRW, page 2.
[92] FN p.5.
[93] JS12, para 51.
[94] AI, page 6.
[95] BPSOS, page 2, para 12.
[96] VN-CAT, page 5.
[97] JS16, para. 13.
[98] JS17, para. 42.
[99] JS12, para 57.
[100] UNPO, page 9.
[101] JS8, para. 38.
[102] JS16, para. 19. See also JS16, para. 25.
[103] JS16, para. 19.
[104] For relevant recommendations see A/HRC/26/6/Add.1, paras. 143.50, 143.127-143.135.
[105] VPDF, para.1.
[106] JS15, para. 11.
[107] JS20, p. 9.
[108] HRW, page 2.
[109] HRW, page 5.
[110] VN-CAT, page 2.

[111] BPSOS, p[illegible] 35.
[112] VN-CAT, page 6.
[113] VPDF, para 9.
[114] JS17, para. 47.
[115] IELM, pg. 2 – 3.
[116] RTCCD, p. 1 – 2.
[117] UNJC, para. 5.
[118] For relevant recommendations A/HRC/26/6/Add.1, paras.143.139-143.172, 143.175-143.179, 143.219.
[119] JS11, para. 40.
[120] JS11, para. 40 (b).
[121] JS20, para. 15.
[122] HRW, page 2.
[123] VNAPC, pp. 2 – 4; See also JS8, para.22.
[124] JS7, para. 2.2.
[125] JS8, para. 38.
[126] FLD para. 21.
[127] Access News, paras. 12 – 15.
[128] HRW, page 1.
[129] VNAPC, pp. 2 – 4.
[130] Access News, paras. 12 – 15.
[131] JS8, para. 3. See also JS8, para. 26 and JS20, para. 10.
[132] JS8, para. 13. See also JS15, para. 13.
[133] JS8, para. 13. See also JS8, para. 12 and JS15, para. 13.
[134] JS8, para. 15.
[135] WPC, page 3.
[136] JS15, para. 13.
[137] JS15, para. 13.
[138] JS7, para. 3.
[139] HRW, page 3.
[140] JS7, para 6.3.
[141] JS11, page 7.
[142] JS19, para.21.
[143] TSC, page 1.
[144] Access News, para. 16., and para. 20.
[145] JS11, para.40 (g).
[146] HRW, page 3.
[147] JS15, para. 12.
[148] FN p.5.
[149] FLD para. 21.
[150] RED Communication, chapter III, para.4.
[151] ADF, paras. 3 – 20.
[152] BPSOS, para.15.
[153] JS12, paras 37 and 38.
[154] JS7, para 7.8.
[155] CSW, p. 2.
[156] CSW, p. 3.
[157] ADF, p. 7.
[158] BPSOS, para 32.
[159] CSW, para 30.
[160] CSVC, page 2.
[161] JS10, para. 39.
[162] JS10, rec. 5.
[163] JS10, para 34.
[164] VN-CAT, page 4.
[165] WEA, para 22. See also JS10, para 34.
[166] JS7, para 1.7.
[167] JS15, para. 16.
[168] VNAPC, pp. 2 – 6.
[169] FLD, para 7.
[170] JS15, para. 16. See also JS15, p. 11.

[171] JS15, para. 19.
[172] JS5, page 3.
[173] JS15, para. 15.
[174] For relevant recommendations A/HRC/26/6/Add.1, paras.143.122-143.126.
[175] CSDM, p. 3.
[176] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.138.
[177] Access Now, p. 2.
[178] Access Now, p. 5.
[179] JS18, para. 30.
[180] JS18, para. 31.8.
[181] JS3, para. 3.13. See also JS3, paras. 1.3(d) and 3.15; JS13, para. 1.1 and JS15, para. 26.
[182] JS3, p. 6 and para. 4.1(f). See also JS13, p. 6 and JS15, para. 27.
[183] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.180 and 181.
[184] JS14, para. 4.
[185] JS14, para. 14. See also JS14, para. 15 and A/HRC/26/6, para. 143.189.
[186] JS15, para. 17. See also JS14, para. 17.
[187] JS15, para. 17.
[188] DRI, p. 6.
[189] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.57, 143.187-143.190, 143.220-143.223, 143.225.
[190] VGCL, section I.
[191] AIPSO, page 4.
[192] VPC, para.4.
[193] AAPSO, page 1.
[194] CCDS, p. 2.
[195] CPAPD, para. 6.
[196] FMC, para.3.
[197] JS19, para.7.
[198] VAE2019, page 7.
[199] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.191 and 192.
[200] VAVA, page 1.
[201] VNRC, page 2.
[202] VAVA, page 2.
[203] JS4, para. 23.
[204] JS16, para. 10.
[205] JS16, p. 5, para. f).
[206] SCDI, pp. 1 –4.
[207] iSEE, paras. 20 – 21.
[208] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.58-143.65, 143.193-143.204, 143.224.
[209] JS1, para.12.
[210] VPC, para.5.
[211] JS15, para. 22.
[212] JS18, para. 31.9.
[213] CSHRS, para. 9.
[214] WPC, page 2.
[215] CHD, para. 8.
[216] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.80-143.85, 143.87, 143.119.
[217] CWDF, paras. 1 – 6.
[218] SRD, page 1.
[219] CPAPD, para. 5.
[220] AIPSO, page 4.
[221] CCDS, p. 2.
[222] VPC, para. 7.
[223] CSHRS, para. 8.
[224] JS4, para. 4.
[225] JS1, para.16.
[226] CWDF paras. 7 – 8.
[227] VWU, para.9.
[228] CWDF paras. 7 – 8.
[229] JS14, para. 6.

[230] JS5, page 6.
[231] JS14, para. 12.
[232] JS4, para 18.
[233] SRD, pp. 1 –2.
[234] VWU, para 9.
[235] JS6, para 3.10.
[236] VWU, para 9.
[237] JS6, para 4.6 and 4.7.
[238] FMC, para.5.
[239] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.47-143.49, 143.54-143.56, 143.120 and 121.
[240] JS2, para.22.
[241] JS2, page 8.
[242] JS19, para 14.
[243] RTCCD, p. 3.
[244] JS2, page 11.
[245] VACR, pp. 2 –6.
[246] CSDS, pp. 2 – 3.
[247] CPAPD, para. 5.
[248] JS1, para 17.
[249] GREACPC, para 2.1 and 2.6.
[250] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.205 and 206.
[251] Vrethealth, page 2.
[252] DRD p.2.
[253] Vrethealth, page 2.
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[255] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.207-143-214.
[256] JS18, para. 15.
[257] CSDM, p. 3.
[258] CSDM, para 5.
[259] VPDF, para.10.
[260] TSC, pp. 4 –5.
[261] TSC, pp. 5 –6.
[262] KKF, pp. 1 –5.
[263] UNPO, pages 2-7, 9.
[264] KKF, page 5.
[265] JS18, para. 31.4.
[266] VPC, para.7.
[267] VFU, Section II, para.1.
[268] For relevant recommendations see A/HRC/26/6/Add.1, paras.143.215.
[269] JS18, para. 31.5.
[270] JS18, para. 17.
[271] JS18, para. 31.6. See also JS14, para. 9.
[272] JS14, para. 9.
[273] JS9, page 2.